The Family Educational Rights and Privacy Act of 1974, formerly known as the Buckley Amendment, serves to protect the privacy of students’ education records. The Act provides students the right to inspect and review their education records, the right to seek to amend the records, and the right to limit disclosure of information contained in the records. The Act applies to all institutions that are recipients of federal aid administered by the Secretary of Education. Maintaining the confidentiality of student records is everyone’s responsibility whether faculty, staff or student. Privacy violations may impact federal funding and may result in lawsuits.

PROTECTION UNDER FERPA

Students who are currently or formerly enrolled, regardless of their age or status with regard to parental dependency, are protected. FERPA does not affect students who have applied to but not attended SCC, or to deceased students.

Access to student records is provided based on your legitimate educational interest with regard to your responsibilities at Suffolk County Community College. The ability to access does not mean that you have the right to view any and all student records.

You may not use your access for purposes other than legitimate educational interest.

EDUCATION RECORDS

FERPA applies to what is called an education record. This is a record from which a student can be personally identified and that is maintained by the college. Education records may exist in any type of medium (handwriting, computer media, print, e-mail, magnetic tape, film, diskette, microfilm and microfiche, video or audio tape, etc.) that is in the possession of any college official.

Student education records may be:

- a document in the Registrar’s office
- notes taken during an advisement session
- a computer printout in your office
- a class list on your desktop
- a computer display screen

You may not display this information openly or leave unattended.
DIRECTORY INFORMATION

Directory Information is information that is generally not considered harmful or an invasion of privacy if disclosed. FERPA states that each student has the right to withhold part or all of Directory Information items. Once restricted, this information cannot be released without the written consent of the student.

Under the terms of FERPA, SCCC has established the following as directory information:

- Student’s name
- Student’s address (permanent, local and email)
- Student’s telephone number (permanent and local)
- Student’s photograph
- Student’s dates and status of enrollment
- Student’s major field of study
- Student’s honors, awards or special recognition
- Student’s weight and height, if a member of an athletic team
- Student’s prior schools attended and degrees awarded
- Student’s participation in officially-recognized sports and activities

The above information may be released at the discretion of the institution. However, since SCCC has restricted the conditions under which this information is released, inquirers should be referred to the Registrar’s Office, the Chief Campus Student Affairs Officer, or the Office of Legal Affairs. In addition, information on the location of a student—even if this appears to be an emergency situation—may not be disclosed, as this may compromise the safety of the student. Instead, please refer these calls to the Chief Campus Student Affairs Officer, the Office of Public Safety, or the Registrar’s Office.

You may not disclose the location of a student to an outside inquirer.

You may not release information to anyone over the telephone. Explain to the caller that we cannot, by law, provide information on a student. Please refer the inquiry to the Registrar’s Office or Chief Campus Student Affairs Officer.

You may not register a student or alter a student’s schedule over the phone.

Please dispose of all paper that contains any personally identifiable information by shredding it; not just throwing it in the trash.

PARENT ACCESS TO THEIR CHILD’S EDUCATION RECORDS

At the postsecondary level, parents have no inherent right to inspect their child’s education records. This includes students who are under the age of 18. The right to inspect resides with the student. Records may be released to parents under the following circumstances: (1) through the written consent of the student on the FERPA Release form, (2) in compliance with a subpoena or court order, or (3)
in the case of an emergency or health/safety issue. Again, these requests must be referred to the Registrar’s Office, Chief Campus Student Affairs Officer, or the Office of Legal Affairs. Note: Subpoenas and court orders must be forwarded to the Office of Legal Affairs (NFL-230).

**You may not** release information to parents. Instead, suggest that they speak with their son/daughter or, again, refer the parent to the Registrar’s Office, the Chief Campus Student Affairs Officer, or the Office of Legal Affairs.

**GRADING**

The public posting of grades by the student’s name, institutional student identification number, or social security number, without the student’s written permission is a violation of FERPA.

**You may not** post grades by social security number or student identification number—or any portion thereof.

The returning of exams or papers via an “open” distribution system, e.g., stacking them on an open table, is a violation of a student’s right to privacy unless students submit a signed waiver to the instructor for such purpose. This waiver must be kept on file.

**You may not** leave stacks of papers or exams for students to sort through.

When showing a student their grade from a grade book, **you may not** allow them to view other students’ grades.

There is no guarantee of confidentiality in transmitting grades or other information electronically, via college e-mail. Faculty who choose to send grades to students via e-mail must be aware that, if there is an unauthorized release of grades to someone who should not have access, the institution would be in violation of FERPA if the student whose grades were illegally disclosed filed a complaint with the Family Policy Compliance Office.

Sharing this type of information in online classes (through D2L) is considered secure based on the fact that the student needs to log in to MySCCC to gain access to the class.

**SHARING E-MAIL ADDRESSES OR OTHER PERSONALLY IDENTIFIABLE INFORMATION AMONG STUDENTS IN THE SAME CLASS**

Faculty who utilize electronic teaching tools may wish to share students’ e-mail addresses or other personally identifiable information with others in the same class. This is permissible as long as (1) the institution has identified e-mail address as directory information, (2) the students have had an opportunity to request that their e-mail address not be disclosed, and (3) the faculty member does not share the e-mail address of any student who has requested non-disclosure. Since e-mail communication does not guarantee the secure transmission of private (non-directory) information such as grades, students should provide to you written acknowledgement and approval of this method of communication.
Finally, college policy indicates that faculty and students must use the college e-mail account for official communication.

You may not:
- discuss the progress of a student with anyone other than the student without the student’s written consent;
- circulate a printed roster that contains student names and ID numbers (and/or other information);
- provide lists of students for any commercial purposes;
- disclose a student’s schedule to anyone other than SCCC employees who have a legitimate need to know, i.e., in a health or safety emergency.

WRITING A LETTER OF RECOMMENDATION

Statements made in a letter of recommendation based on personal observation or knowledge do not require a written release from the student. However, if personally identifiable information obtained from a student’s educational record is included in the letter of recommendation (grades, GPA, and other non-directory information.), the writer is required to obtain a signed release from the student which (1) specifies the records that may be disclosed, (2) states the purpose of the disclosure, and (3) identifies the party or class of parties to whom the disclosure can be made.

If this letter is kept on file by the person writing the recommendation, it would be part of the student’s education record and the student has the right to read it unless he or she has waived that right to access.

Sample Release for Letter of Recommendation is linked.

For additional information or questions, you may contact any campus Registrar’s Office, the College Registrar’s Office, the Chief Campus Student Affairs Officer, or the Office of Legal Affairs.

Ann Flack, College Registrar
9/14/12