



FERPA

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

HANDBOOK

OFFICE OF ADMISSIONS AND RECORDS
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FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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. FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are “eligible students.” The purpose of this policy is to set out requirements for the protection of student education records under FERPA at University of Guam (“the University”). According to the law, a person becomes a student for purposes of FERPA when they are “in attendance” at an institution. This includes attendance in person or remotely by videoconference, satellite, Internet, or other electronic and telecommunications technologies. At University of Guam, we define a student as someone currently or previously enrolled in any academic offering of the University. This does not include prospective students or applicants to any academic program of the University. According to University of Guam policy, FERPA becomes effective on the first day of classes for those newly admitted students who have scheduled at least one course. A student who has accepted an admission offer but did not schedule at least one course, or a newly admitted student who canceled his/her registration either before or after the semester begins, is not covered under FERPA.

ESSENCE OF THE ACT

College students must be permitted to inspect their own education records. School officials may not disclose personally identifiable information about students nor permit inspection of their records without their written permission unless such action is covered by certain exceptions permitted by the Act. Students who have ceased attendance or who have graduated from an institution have the same FERPA rights as students currently attending.

As the methods of delivering education to students changes, this does not mean that the FERPA rules change. We must be fully in compliance with FERPA no matter how education is delivered to students or where these students are located to receive their education.

DEFINITIONS

DIRECTORY INFORMATION—Directory information is information contained in an education record of a student which would not generally be considered as harmful or an invasion of privacy if disclosed. The University of Guam has designated directory information to be the following:

- Student’s Name
- Major or field(s) of study
- Dates of enrollment
- Full Time/ Part Time status
- Class level

- Honors and awards received
- Degrees completed
- Dates of degrees conferred
- Participation in officially recognized activities and sports

Student identification numbers or social security numbers, race/ethnicity, gender, citizenship, nationality, and religion CANNOT be designated as directory information.

EDUCATION RECORD—Student education records are records, files, documents, and other materials that contain information directly related to a student and maintained by the university or someone acting for the university. These records include: files, documents, and materials in whatever medium (handwriting, print, tapes, disks, film, microfilm, microfiche), which contain information directly related to students and from which students can be personally (individually) identified.

Education records are NOT:

- Records kept by university employees which are in the sole possession of the maker and are not accessible or revealed to any other person except a temporary substitute;
- Employment records unless the employment records are contingent on the fact that the employee is a student (work-study);
- Records maintained by the law enforcement/security unit solely for law enforcement purposes;
- Application records of students not admitted to or not in attendance at the university;
- Records maintained by counseling or health services;

ELIGIBLE STUDENT—FERPA applies to the education records of persons who are or have been in attendance, including students in cooperative, correspondence, or distance education programs. “In attendance” is defined by the University of Guam as the day the student first attends a class at the institution.

LEGITIMATE EDUCATIONAL INTEREST—the demonstrated “need to know” by those officials of an institution who act in the student’s educational interests, including faculty, administration, clerical and professional employees, and other persons, including student employees or agents, who manage student information. A legitimate educational interest exists if the school official needs to view the education record to fulfill his or her professional responsibility. Neither curiosity nor personal interest is a legitimate educational “need to know”.

PERSONALLY IDENTIFIABLE—data or information, which includes, but is not limited to:

- The name of the student, the student’s parents, or other family members;
- The campus or home address of the student or the student’s family’s address;

- A personal identifier such as a social security number or student number;
- A list of personal characteristics or other information which would make the student's identity easily traceable

SCHOOL OFFICIAL—a person employed by the institution in an administrative, supervisory, academic, research, or support staff position; a person or company with whom the institution has contracted (i.e., an auditor, attorney or collection agency); contractors, volunteers, and other non-employees performing institutional services and functions; a person serving on the Board of Trustees; a student serving on an official committee or assisting another school official in performing his/her task

SOLE POSSESSION RECORD—record that is kept in the sole possession of the maker and used only as a personal memory aid; and is not accessible or revealed to any other person except a temporary substitute of the maker of the record. Any record that is made in conjunction with a student or other school official is not a sole possession record. If a school official places his or her notes in a file to which other school officials, or the student, have access, or if the notes were prepared with the assistance or participation of others (interview notes), the notes could be considered “made accessible to” other persons and therefore would be considered “education records” subject to FERPA.

BEST ADVICE: “IF YOU DON’T WANT IT REVIEWED, DON’T WRITE IT DOWN.”

TYPES OF EDUCATION RECORDS

Following is a list of types of education records available on the University of Guam campus:

- Academic records
- Academic dishonesty records
- Admission records
- Disciplinary and student conduct records
- Financial records
- Learning disability records
- Progress and advising records

Institutional law enforcement and medical treatment records should always be kept separate from education records. Such separation of records not only further protects the privacy of the student's education record but facilitates timely and appropriate access to personal and sensitive information by authorized school officials.

ANNUAL NOTICE TO STUDENTS

Annually, University of Guam informs students of the Family Educational Rights and Privacy Act of 1974, as amended. This Act, with which the institution intends to comply fully, was designated to protect the privacy of educational records. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the Office of the Registrar, the college dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will arrange for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write to the University official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. The following is considered "Directory Information" at the University and will be made available to the general public unless the student notifies the Office of the Registrar in person or in writing before the last day to add classes:

Student's name, major field of study, participation in officially recognized activities and sports, dates of enrollment, honors and awards received, degrees completed, and dates of degrees conferred, class level, and full time/part-time status

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Guam to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-4605

RELEASE OF DIRECTORY INFORMATION

The release of directory information to any group for publications such as student directories, award ceremonies, yearbooks, etc. is subject to FERPA restrictions. Any group seeking to publish a student directory or program at an institution that chooses to release directory information must do so through a supervising school official or office. It must give students who wish to be excluded from the listing the opportunity to notify the group within an appropriate timeframe prior to publication.

STUDENT'S RIGHT OF NON-DISCLOSURE

- A student has the right to request non-disclosure of directory information only.
- Institutions must honor a non-disclosure request for directory information.
- The non-disclosure hold remains in effect for one semester/summer term. This remains true even after the student has ceased attendance at the institution.

Students have the right, while enrolled, to prevent directory information from being released. In order to maintain directory information as confidential, a student must submit a Request to Prevent Disclosure of Directory Information in the Admissions and Records Office by the first two (2) weeks of any semester or during the first week of any summer term. This request will remain in effect for the semester/session submitted and **MUST BE** renewed every semester/term for which the student is currently enrolled. The **Request to Prevent Disclosure of Directory Information Form** is available in the Admissions and Records Office. Please refer to Appendix A.

A student should carefully consider the consequences of a decision to withhold directory information, as future requests for such information from other schools, loan or insurance companies, prospective employers or other persons or organizations will be refused as long as the request for non-disclosure is in effect.

THE SOLOMON AMENDMENT

Under the Solomon Amendment, institutions are required to provide directory-type information on students, at least 17 years of age who are registered for at least one credit, upon request from representatives of the Department of Defense for military recruiting purposes. This information, referred to as “student recruitment information,” includes: student name, addresses, telephone listings, age or year of birth, place of birth, level of education or degrees received, academic major, and the most recent previous educational institution in which the student was enrolled. If the student has formally requested the school to withhold directory information to third parties under FERPA rules, then the “student recruitment information” will not be released under the Solomon Amendment.

EMERGENCY SITUATIONS

If non-directory information is needed to resolve a crisis or emergency situation, the University of Guam may release that information if it is determined that the information is “necessary to protect the health or safety of the student or other individuals”. This includes releasing information to school officials at another institution. A record must be made of the disclosure. Factors to be considered or questions to be asked in making a decision to release such information in these situations are:

- The severity of the threat to the health or safety of those involved
- The need for the information
- The time required to deal with the emergency
- The ability of the parties to whom the information is to be given to deal with the emergency

If a student needs to be located for emergency reasons, please contact Campus Security at 888-2456.

PARENTS

One of the main emphases of FERPA is that personally identifiable information in an education record may not be released without prior written consent from the student. However, the Act does provide exceptions to this consent requirement, which allow institutions to disclose personally identifiable information from a student’s education record without prior written consent.

There is an exception to release non-directory information to parents under certain conditions. Records/information may be released to parents only if one of the following conditions has been met:

- Through the written consent of the student. The **Student Consent for Release of Non-Directory Information Form** is available in the Admissions and Records Office. Please refer to Appendix B.
- In compliance with a subpoena
- By submission of evidence that the parent declared the student as a dependent on the most recent federal income tax form
- A student, under the age of 21, has violated a federal, state, local or institutional law/policy related to the use of alcohol or a controlled substance. This disclosure can be made regardless of whether or not the student is financially dependent.

DISCIPLINARY ACTION

An education agency or institution may include information in a student's education records concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety and wellbeing of that student, other students, or other members of the school community. An institution may disclose, without prior consent, information contained in a student's education record concerning disciplinary action taken against the student, described above, to teachers and school officials who have legitimate educational interests in the behavior of the student. FERPA has been amended to allow this type of disclosure to teachers and officials in other schools who have legitimate educational interests in the behavior of the student. This means that institutions may disclose, without the student's prior written consent, information about certain disciplinary actions taken against the student to other institutions, regardless of level, and that the student does not have to be either (1) in attendance at the other institution or (2) seeking or intending to enroll at another institution.

In addition, the institution may disclose to the public, without written consent of the student, the final results of an institutional disciplinary proceeding if it has been determined that the student was the alleged perpetrator of a crime of violence or non-forcible sex offense. The final results must include only the name of the student, the violation committed, and any sanction imposed by the institution against the student.

ADMISSION FILES

Student admission files for any admitted students should be reviewed in order to remove any items which have fulfilled their admission-related purpose and will no longer be required in the student's academic career. Although an institution can decide which records to keep and which to destroy, each institution should establish a regular process to accomplish this task. One category of items, which should be considered for removal, is notes written by admission counselors during the admission process and any voting records found in students' files on which a decision of admission has been based. The information, if not removed from a student's file, becomes a part of the student's education record and can be reviewed by the student.

RECORDS OF NON-ADMITTED STUDENTS

Persons who applied for admission but were not accepted have no rights under FERPA. Admitted students are covered by FERPA once they have enrolled at the institution. Individuals who are denied admission are not entitled by FERPA to have access to materials relating to the denied application.

SUBPOENA

According to regulations, non-directory, personally identifiable information from education records can be released to comply with a judicial order or lawfully issued subpoena provided that the institution makes a reasonable effort to notify the student of the order or subpoena in advance of compliance. Legislation modified the requirement of notifying students of the receipt of a subpoena. This legislation orders institution not to notify the student of the receipt of a federal grand jury subpoena, or any other subpoena issued for a law enforcement purpose, if specifically ordered not to do so in the subpoena. Furthermore, if an institution initiated legal action against a student, or vice versa, no subpoena for the relevant education records of a student would be required for the institution to either proceed with legal action as plaintiff or defend itself.

LETTERS OF RECOMMENDATION

Statements made by a person making a recommendation that are made from that person's personal observation or knowledge do not require a written release from the student who is the subject of the recommendation. However, if personally identifiable information (non- directory information) obtained from a student's education record is included in a letter of recommendation (grades, GPA, etc.), 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 kept on file by the person writing the recommendation, the letter would be part of the student's education record and the student has the right to read it unless he or she has waived the right to access.

The **Recommendation Authorization and Waiver Form** is available in the Admissions and Records Office. Please refer to Appendix C.

INFORMATION RELATED TO OFFICES, CLASSES, AND GRADES

The public posting of grades, either by the student's name, institutional student identification number, or social security number, without the student's written permission is a violation of FERPA. This includes the posting of grades to a class/institutional website and applies to any public posting of grades for students taking distance education courses. Instructors and others

who insist on posting grades should use a system that ensures that FERPA requirements are met. This can be accomplished either by using code words or randomly assigned numbers that only the instructor and individual student know. The order of posting should not be alphabetic.

Notification of grades via e-mail is slightly more secure than sending grades on a postcard via USPS. However, there is no guarantee of confidentiality in transmitting information electronically via campus e-mail or through the Internet. Faculty who wish to send grades to students via e-mail need to understand that if there is an unauthorized release of grades to someone who is not a school official, the institution would be in violation of FERPA if the student whose grades were illegally disclosed filed a complaint.

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 addresses as directory information; 2) the students have had an opportunity to request that their e-mail addresses not be disclosed, and; 3) the faculty member does not share the e-mail address of any student who has requested non-disclosure.

PHOTOS AND VIDEOS AS EDUCATION RECORD

As with any other "education record," a photo or video of a student is an education record, subject to specific exclusions, when the photo or video is: (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution.

Directly Related to a Student:

FERPA regulations do not define what it means for a record to be "directly related" to a student. In the context of photos and videos, determining if a visual representation of a student is directly related to a student (rather than just incidentally related to him or her) is often context-specific, and educational agencies and institutions should examine certain types of photos and videos on a case by case basis to determine if they directly relate to any of the students depicted therein. Among the factors that may help determine if a photo or video should be considered "directly related" to a student are the following:

- The educational agency or institution uses the photo or video for disciplinary action (or other official purposes) involving the student (including the victim of any such disciplinary incident);
- The photo or video contains a depiction of an activity:
 - that resulted in an educational agency or institution's use of the photo or video for disciplinary action (or other official purposes) involving a student (or, if disciplinary action is pending or has not yet been taken, that would reasonably result in use of the photo or video for disciplinary action involving a student);
 - that shows a student in violation of local, state, or federal law;
 - that shows a student getting injured, attacked, victimized, ill, or having a health emergency;

- The person or entity taking the photo or video intends to make a specific student the focus of the photo or video (e.g., ID photos, or a recording of a student presentation); or
- The audio or visual content of the photo or video otherwise contains personally identifiable information contained in a student's education record.

A photo or video should not be considered directly related to a student in the absence of these factors and if the student's image is incidental or captured only as part of the background, or if a student is shown participating in school activities that are open to the public and without a specific focus on any individual.

Examples of situations that may cause a video to be an education record:

- A school surveillance video showing two students fighting in a hallway, used as part of a disciplinary action, is directly related to the students fighting.
- A classroom video that shows a student having a seizure is directly related to that student because the depicted health emergency becomes the focus of the video.
- If a school maintains a close-up photo of two or three students playing basketball with a general view of student spectators in the background, the photo is directly related to the basketball players because they are the focus of the photo, but it is not directly related to the students pictured in the background. Schools often designate photos or videos of students participating in public events (e.g., sporting events, concerts, theater performances, etc.) as directory information and/or obtain consent from the parents or eligible students to publicly disclose photos or videos from these events.
- A video recording of a faculty meeting during which a specific student's grades are being discussed is directly related to that student because the discussion contains PII from the student's education record.

Maintained by an educational agency or institution:

To be considered an education record under FERPA, an educational agency or institution, or a party acting for the agency or institution, also must maintain the record. Thus, a photo taken by a parent at a school football game would not be considered an education record, even if it is directly related to a particular student, because it is not being maintained by the school or on the school's behalf. If, however, the parent's photo shows two students fighting at the game, and the parent provides a copy of the photo to the school, which then maintains the photo in the students' disciplinary records, then the copy of the photo being maintained by the school is an education record.

Exclusion for Law Enforcement Unit Records

The FERPA statute and regulations (20 U.S.C. 1232g(a)(4)(B)(ii) and 34 CFR §§ 99.3 and 99.8) exclude from the definition of education records those records created and maintained by a law enforcement unit of an educational agency or institution for a law enforcement purpose. Thus, if a law enforcement unit of an educational agency or institution creates and maintains the school's surveillance videos for a law enforcement purpose, then any such videos would not be considered to be education records. If the law enforcement unit provides a copy of the video to

another component within the educational agency or institution (for example, to maintain the record in connection with a disciplinary action), then the copy of the video may become an education record of the student(s) involved if the video is not subject to any other exclusion from the definition of “education records” and the video is: (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution.

<https://studentprivacy.ed.gov/fag/when-photo-or-video-student-education-record-under-ferpa>

GUIDELINES FOR SAFEGUARDING STUDENT RECORDS AND RESPONDING TO PRIVACY INCIDENTS

Faculty and staff are responsible for safeguarding student education records and personally identifiable information (PII) in their possession or accessed as part of their University responsibilities.

Safeguarding Student Information

- Grades, transcripts, degree audits, class rosters, grade sheets and other student records should not be left in plain view in offices, classrooms, or other areas where unauthorized individuals may view them.
- Graded papers, tests, exams or other student work containing personally identifiable information should not be left unattended or placed in publicly accessible locations.
- Do not publicly display or project student grades, student identification numbers, class rosters, or other personally identifiable student information where other students or unauthorized individuals may view it.
- Requests for information from a student's education record should be referred to appropriate education record custodian. Questions regarding the release of student information may be referred to the Office of Admissions & Records.
- Maintain only those student records necessary to fulfill your University responsibilities and appropriately safeguard records in your possession.
- Records maintained as private notes or sole-possession records must remain in the sole possession of the maker and must not be accessible or revealed to others, except as permitted under FERPA.
- The right to request amendment of an education record does not extend to challenging a faculty member's substantive academic judgment regarding a student's work, including grades or evaluations.

Access and Disclosure of Student Records

- Do not request information from the education record custodian without a legitimate educational interest and the appropriate authority to do so.
- Do not share information from student education records, including grades and grade point averages, with faculty or staff who do not have a legitimate educational interest, or

with parents or others outside the University without the student's written consent, unless otherwise permitted by FERPA.

****When in doubt about whether student information may be released, contact the Office of Admissions and Records before disclosing the information.****

Reporting and Responding to Potential FERPA and Student Records Privacy Incidents

A potential student records privacy incident may occur when student education records or personally identifiable information are accidentally or improperly disclosed, displayed, accessed, transmitted, lost, or otherwise made available to an unauthorized individual.

Examples may include:

- Sending student information to the wrong person or email address.
- Displaying or projecting student names, identification numbers, grades, class rosters, or other personally identifiable information where unauthorized individuals may view it.
- Improperly sharing an electronic file, spreadsheet, or document containing student information.
- Leaving paper or electronic student records accessible to unauthorized individuals.
- Providing student information to an individual who does not have a legitimate educational interest.
- Suspected unauthorized access to an account, system, or electronic file containing student information.

If an incident occurs:

- Take immediate steps to contain the incident. Remove information from view, stop screen sharing, restrict access to an electronic file, secure paper records, or take other appropriate action to prevent further disclosure.
- Preserve relevant information about the incident. Do not conceal the incident or delete information that may be needed to determine what occurred.
- Report the incident promptly to the Office of Admissions & Records. Provide the known facts, including what occurred, the student information involved, who may have had access to the information, when and how the incident occurred, and any immediate corrective action taken.
- Report technology or information-security concerns to the appropriate University technology or Information Security office. This may include suspected account compromise, unauthorized system access, improperly shared cloud files, or lost or stolen devices containing student information.
- Cooperate with any necessary follow-up. The Office of Admissions & Records will review matters involving FERPA and student records privacy and, as appropriate, coordinate with Information Security, the employee's supervisor, or other University offices. Grades, transcripts, or degree audits distributed for purposes of advisement should not be placed in plain view in offices or public places.

APPENDICES

UNIVERSITY OF GUAM

ADMISSIONS AND RECORDS OFFICE FERPA-RELATED FORMS

REQUEST TO PREVENT DISCLOSURE OF DIRECTORY INFORMATION

TO: Registrar
Admissions & Records Office
University of Guam
Field House, 1st Floor
303 University Drive, Mangilao, Guam 96913

FROM: Student No. _____

Student Name _____

Address _____

Student Type: ☐ Degree-Seeking, Undergraduate (Bachelors)
(check one) ☐ Non-Degree, Undergraduate
☐ Degree-Seeking, Graduate (Masters)

Telephone _____

Email _____

Effective: ☐ Fall _____ ☐ Spring _____ ☐ Summer _____

According to the Family Educational Rights and Privacy Act (FERPA) of 1974, directory information can be made available to the public without the student's permission; the following items are considered directory information:

- Student's name
- Major field of study
- Dates of enrollment
- Class level
- Full-time/part-time status
- Participation in officially recognized activities and sports
- Honors, awards, degrees completed and dates of degrees conferred

A currently enrolled student may request that directory information be restricted by completing this form during the first two (2) weeks of any semester or during the first week of any summer term. **This request will remain in effect for this semester/term and must be renewed every semester/term for which the student is currently enrolled.**

PLEASE NOTE: WHEN YOU RESTRICT THE RELEASE OF DIRECTORY INFORMATION, NO INFORMATION WILL BE RELEASED TO ANYONE REGARDLESS OF NEED (e.g. family emergency). **In addition, other departments and offices on campus will not be able to access student records to process financial aid, employment and payroll. Student must think carefully about this option before submitting request.**

In accordance with the policy described above, I request that the release of my directory information be restricted. I understand this is effective for the current semester/term; this request must be filed no later than the first two (2) weeks of any semester or during the first week of any summer term.

Signature: _____

Date: _____

FOR REGISTRAR'S OFFICE USE ONLY

Photo Identification Verified By: _____

(AREC Staff: Print Name and Initial)

Date: _____

STUDENT CONSENT FOR RELEASE OF NON-DIRECTORY INFORMATION

The University of Guam, in compliance with the Family Educational Rights and Privacy Act (FERPA) of 1974, requires written consent of the student authorizing the disclosure of non-directory information from his or her record.

TO: Registrar
Admissions & Records Office
University of Guam
Field House, 1st Floor
303 University Drive, Mangilao, Guam 96913

FROM: Student No. _____

Student Name _____

Address _____

Telephone _____

Email _____

Student Type: ☐ Degree-Seeking, Undergraduate (Bachelors)
(check one) ☐ Non-Degree, Undergraduate
☐ Degree-Seeking, Graduate (Masters)

TYPE OF RELEASE (check one):

- ☐ One-time only release of student records.
➤ This consent will remain in effect for ONE SEMESTER/TERM only: ☐ Fall _____ ☐ Spring _____ ☐ Summer _____
- ☐ I authorize full access to my student records.
➤ This consent will remain in effect for ALL SEMESTERS/TERMS that I am enrolled at UOG unless revoked by me in writing.
- ☐ I wish to revoke the current release of information I have on record for the following person(s)/institution(s) - _____

STUDENT RECORDS TO BE RELEASED (check all that apply):

- ☐ Enrollment Record – registration and/or enrollment information
☐ Grade Report – final term grades and grade point averages (note: does not include official transcripts)
☐ Student Course Schedule – current class schedule
☐ All of the above
☐ Other (please specify) - _____

RELEASE RECORDS TO:

Person(s) - [specify name, date of birth, relationship] _____

Institution(s) - _____

REASON FOR RELEASE OF RECORDS:

- ☐ Family Communication ☐ Admission to an Education Institution
☐ Employment ☐ Other (please specify) - _____

I understand that the information specified on this form is being released to a third party at my request, with the understanding that this party will not release it to any other parties. University of Guam is hereby released from all legal responsibility of liability for the release of the above-referenced information.

Student Signature: _____

Date: _____

FOR REGISTRAR'S OFFICE USE ONLY

Photo Identification Verified By: _____

(AREC Staff: Print Name and Initial)

Date: _____

RECOMMENDATION AUTHORIZATION AND WAIVER

Instructions for completing this form:

- 1) This form must be fully completed and signed by the student. Records should not be released if any section of this form is not filled out entirely.
- 2) Completed forms must be submitted to the Admissions & Records Office.
- 3) A copy of the stamped received from Admissions and Records MUST be given by the student to the school official named in Section A below.

Name of Student (Last, First, Middle Initial):	Student ID No.:	Date:
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The Family Educational Rights and Privacy Act (FERPA) affords certain rights to students concerning the privacy of, and access to, their education records. In order to submit recommendations in accordance with FERPA regulations, school officials must request that students submit this authorization/waiver or its equivalent prior to providing FERPA-protected student information to third parties.

SECTION A. UOG official making recommendation:

Name(s) of UOG official making recommendation

SECTION B. Type of disclosure (check all that apply):

- ☐ Letter of Recommendation
☐ Verbal Recommendation
☐ Other (please specify) - _____

SECTION C. Person(s) to whom education records may be provided (check all that apply):

- ☐ All Potential Employers
☐ Any Educational Institution
☐ Only to the following (please specify) - _____

SECTION D. Purpose of release (check all that apply):

- ☐ Employment
☐ Admission to an Educational Institution
☐ Other (please specify) - _____

SECTION E. Waiver of access (check one):

- ☐ I waive the right to review the requested letter of recommendation(s).
☐ I DO NOT waive the right to review the requested letter of recommendation(s).

By signing below, I authorize the UOG official named in Section A above to consult my education records at UOG, and to disclose such education records as that official considers appropriate in accordance with the above-stated purpose(s).

I understand that I have the right to revoke this authorization/waiver at any time by delivering a written revocation to the UOG official named in Section A above, but that such revocation will not affect any waiver of access to records obtained or received prior to delivery of such written revocation. I also understand that a copy of this authorization/waiver may be sent with the recommendation(s).

Student's Signature: _____ Date: _____

FOR REGISTRAR'S OFFICE USE ONLY

Photo Identification Verified By: _____ Date: _____
(AREC Staff: Print Name and Initial)

University of Guam Employee Registration Statement of Understanding of the Family Educational Rights and Privacy Act

I understand that by the virtue of my employment with the _____ at University of Guam, I may have access to records, which contain individually identifiable information, the disclosure of which is prohibited by the Family Educational Rights and Privacy Act of 1974. I acknowledge that I fully understand that the intentional disclosure by me of this information to any unauthorized person could subject me to criminal and civil penalties imposed by law. I further acknowledge that such willful or unauthorized disclosure also violates University of Guam's policy and could constitute just cause for disciplinary action including termination of my employment regardless of whether criminal or civil penalties are imposed.

Special "Don'ts" for Employees

To avoid violating FERPA rules, **do not at any time:**

- Circulate a printed class list for attendance purposes if it shows names and social security numbers or IDs.
- Allow students to view, read, or record another student's social security number while in your work area.
- Discuss student progress with anyone other than the student without the student's written consent submitted to Admissions & Records Office (this includes the student's parents, spouse, or relatives).
- Provide anyone with a student's schedule or help anyone other than university employees find a student on campus (Refer inquiries to Admissions & Records Office to assist).
- Make sure you protect all education records in your possession. This includes paper documents in your office such as computer printouts, class lists, display screen data, and advising notes. These are practical tools that you need to do your job; however, they should be protected like you would protect a purse or wallet. You should not leave these items out in open areas, but store them out of sight, preferably in a locked cabinet or drawer when not in use.
- Register family or related individuals to classes. Must direct students to the next available registration location.

Employee Full Name: _____
Last, First Middle Name

Employee UOG ID# or SSN: _____

Employee Signature: _____



University of Guam

OFFICE OF THE REGISTRAR STUDENT EMPLOYEE STATEMENT

CONFIDENTIALITY OF STUDENT INFORMATION AND LIABILITY

Print Name of Student Employee: _____

I understand that by virtue of my employment with the University of Guam. I may have access to records which contain individually identifiable information, the disclosure of which is prohibited by the Family Educational Rights and Privacy Act of 1974, as amended (FERPA). By signing this form, I promise to use my access to the student data responsibly and in a manner consistent with FERPA and related University policy.

I acknowledge that I fully understand that the intentional disclosure by me of student information to any unauthorized person could subject me to criminal and civil penalties imposed by law. I further acknowledge that such willful or unauthorized disclosure also violates the policy of the University of Guam and could constitute just cause for disciplinary action including termination of my employment regardless of whether criminal or civil penalties are imposed.

Student Employee Signature

Date

AUTHORIZATION BY SUPERVISOR

I hereby authorized the employee named above to act in my behalf by accessing confidential student data when engaged in the performance of tasks covered under FERPA's definition of legitimate educational interest (see below).

Access Start Date: _____

Access End Date: _____

Print Supervisor Name: _____

Supervisor Signature: _____

Who has access to confidential data in student records? University officials may utilize confidential student information only for **official University business**. Information in student records is available only to school officials who have a **legitimate educational interest on a need to know** basis.

Who is a school official? A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position, a person serving on the Board of Regents or a **student assisting another school official** in performing his or her tasks.

What is confidential data? Confidential data includes student class schedules, grades, **and all other nondirectory information** contained in a student's records. For example, other student data protected by the law as confidential are Social Security Number, ethnic background, and gender.

What are student records? Student educational records are records directly related to a student and maintained by the institution or by a party acting for the institution, including data recorded in any medium, e.g. handwriting, print, tapes, film, microfilm, and any form of electronic data storage.

What is "legitimate educational interest"? In accordance with FERPA, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. This includes such purposes as:

- Performing appropriate tasks that are specified in her/his position description or by a contract agreement;
- Performing a task related to a student's education;
- Performing a task related to the discipline of a student; or
- Providing services for the student or the student's family, such as healthcare, counseling, job placement, or financial aid.

What is NOT "legitimate educational interest"? Legitimate educational interest does **not** convey inherent rights to any and all student information. The law discriminates between educational interest, and personal or private interest; determinations are made on a case-by-case basis. Educational interest does **not** constitute authority to disclose information to a third party without the student's written permission.

FERPA Complaint Form

If you believe your rights under the Family Educational Rights and Privacy Act (FERPA) have been violated, you may use this form to file a complaint. Please include as much detail as possible.

Complaints must be submitted within **180 days** of the violation or when you first became aware of it.

Section 1: Student Information

Full Name (Please Print):	Date of Birth:	SSN or UOG ID Number:
Mailing Address:		Permanent Home Address:
Phone Number:		Email Address:

Section 2: Department/Individual Involved (if known)

Department/Office	Department/Office Location:
Name of Individual:	Position/Title:

Section 3: Description of Alleged Violation

Describe in detail the nature of the FERPA violation. Be as specific as possible, and include the following:

What happened:	Who was involved:
When and Where it occurred:	Which specific education records were involved:
Why do you believe this action violated FERPA rights: (attached additional pages if necessary)	

Section 4: Supporting Documentation

List and attach any documents that support your claim (e.g., emails, letters, screenshots, forms, etc.):

Section 5: Internal Resolution Attempt (Optional)

If you have already attempted to resolve this matter within a department or office (e.g. by speaking with a faculty member, staff, or administrator), please describe the steps you took and the outcome.

Note: You are not required to attempt internal resolution before filing this complaint.

The Office of the Registrar or assigned FERPA Liaison will investigate your complaint and will determine if a violation of FERPA has occurred. You will be contacted within 10 business days to provide you with an update of the investigation.

Section 6: Certification

I certify that the information I have provided is true and accurate to the best of my knowledge.

Signature: _____

Date: _____

FOR OFFICIAL USE ONLY:

Received by: _____ Date: _____

FERPA Liaison _____

Resolution & Action Taken: _____

Corrective Action Completed on: _____

Official Letter Issued (to staff involved) Date: _____

Written Summary Issued Date (to complainant) Date: _____