

What is FERPA?

FERPA (Family Education Rights and Privacy Act) is a federal law that protects the privacy of student education records. The law is relevant to any US education institution that receives funds under an applicable program of the U.S. Department of Education. FERPA gives privacy rights to students and their parents over education records, and challenges the content and release of education records to 3rd parties. FERPA rights are transferred from the parent to the child when the student turns 18.

Why?

San Jose State University is committed to privacy and security, including a long history of going above and beyond to protect student data. Protection of private education records is the duty and mission of the University, and individuals handling this information play a critical role in helping not only improve security, but help safeguard the privacy of students. Academic senate policies have been in place for decades expanding on FERPA requirements in order to make SJSU more involved in student privacy than most universities. Since SJSU is a federally funded educational institution, it must meet information security methods of FERPA privacy in order to continue to receive federal funding.

Finer Points

FERPA prohibits the disclosure of a student's "protected information" to a third party. Under FERPA, a "third party" includes any individual or organization other than the student or their parent. The FERPA "protected information" is classified into one of three categories:

- Educational records: Records directly related to a student and maintained by the educational institution.
- Personally identifiable information (PII)
- Directory information

FERPA gives the student the rights to inspect and review their educational records, request to amend their records, and limit disclosures of directory information. FERPA also requires students to give their permission to release private information. Under FERPA, the following information is considered private and restricted information, and the educational institution should provide FERPA security measures to restrict this information:

- Grades and GPA
- School individual identifier
- Social security number
- Class schedule
- Class rank
- Age, birth date, place of birth

What you need to know

At San Jose State University, individuals that handle FERPA information play a key role in helping to safeguard the privacy of student educational records. It is the responsibility of everyone involved to help protect this information. Being proactive with security in mind can help prevent FERPA security related unauthorized disclosures from taking place.

- SJSU must comply with FERPA security restrictions, for the protection of FERPA information processed and stored in the SJSU Office of the Registrar.
- **Protect stored FERPA in electronic format:** For any computers processing FERPA information, FERPA information must be stored encrypted. FERPA data should be stored on server network shares / drives, to protect this data, when possible. Limit the use of sending FERPA restricted information in emails, and delete emails containing educational records.
- **Protect computers with Security Best Practices in Mind:** For any computers processing FERPA information, keep in mind some security best practices:
 - **Robust passwords:** Follow robust password guidelines outlined by the university. Never share or disclose your password to a 3rd party. For more information on the requirements for password standard, refer to the SJSU “Password Standard [1]”
 - **Malicious Emails and Attachments:** Follow common sense and avoid clicking on suspicious links and opening suspicious attachments via email.
 - **Use Anti-Virus program:** Ensure to keep Anti-Virus programs up to date, active, and periodically scanning your computer for malicious software and attachments.
- University FERPA information is classified as Level 2 information, and must meet University security requirements for protection of Level 2 information. For more information on the requirements for encryption and handling of FERPA restricted information, refer to the SJSU “Information Classification and Handling” security standard [2].
- Universities are required to report FERPA data breaches and California is a leader in establishing these data breach notification laws. For suspected FERPA data breaches, contact the Office of the Registrar.

More Information

[1] San Jose State University: “SJSU Password Standard”

[2] San Jose State University: “Security Standard for Information Classification and Handling”

[3] San Jose State University: “Training Faculty and Staff”
<http://www.sjsu.edu/registrar/docs/FERPA_Workshop.pdf>

[4] San Jose State University: “What is FERPA?”
<http://www.sjsu.edu/registrar/docs/FERPA_Brochure.pdf>