FERPA Frequently Asked Questions

1. **What is FERPA?**

   The Family Educational Rights and Privacy Act (FERPA) is a federal law designed to protect the privacy of a student's educational records. Under FERPA, directory information may be publicly shared by the University, unless the student specifically requests that directory information not be released.

2. **Who does FERPA aim to protect?**

   FERPA applies to students presently enrolled at the University of Southern Maine (USM), as well as former students and alumni, but it does not apply to applicants seeking admission to the institution.

3. **Do parents have any rights under FERPA?**

   When a student reaches the age of 18 or begins to attend a post-secondary institution regardless of age, all FERPA rights transfer to the student. However, FERPA allows parental access to a student’s educational records if the parent/guardian claims the student as a dependent on his/her most recent federal tax form.

4. **What is considered directory information?**

   The University of Maine System (UMS) has designated the following as directory information: name, degrees and awards received (including dates), address, UMS assigned email address, most recent previous educational institution attended, phone, participation in sports and activities, date of birth, class level, program of study, enrollment status (full/part-time), dates of attendance, and appropriate personal athletic statistical data.

5. **What happens if a student requests that his/her directory information not be released?**

   No information will be released to any requestor, including insurance companies and prospective employers, without the expressed written consent of the student. Nor will the student's name be included in the published Dean's List, student directory, commencement brochure or any other institutional publication or press release.
6. **How would a student provide written consent?**

A student would have to complete a written and dated request by writing or printing off a [Student Consent to Release Information Form](http://usm.maine.edu/sites/default/files/Office%20of%20the%20Registrar/CONFID.pdf).

7. **How can you conduct research with information from student educational records?**

Anyone considering conducting research using information from student educational records must first receive approval for that research from the University of Southern Maine's [Office of Research Integrity and Outreach (ORIO)](http://usm.maine.edu/sites/default/files/Office%20of%20the%20Registrar/CONFID.pdf).

8. **Does the University have a procedure in place for someone looking to properly access student records?**

Yes, that procedure is outlined in the University of Southern Maine’s Confidentiality of Student Records Policy, which can be found at:

[http://usm.maine.edu/sites/default/files/Office%20of%20the%20Registrar/CONFID.pdf](http://usm.maine.edu/sites/default/files/Office%20of%20the%20Registrar/CONFID.pdf)

9. **Who are "University officials"?**

"University officials" are University employees with general or specific responsibility for promoting the educational objectives of the University or third parties under contract with the University to provide professional, business and similar administrative services related to the University's educational mission. Individuals whose responsibilities place them within this category include instructors; faculty advisers; admissions counselors; academic advisers; counselors; employment placement personnel; deans, department chairpersons, directors, and other administrative officials responsible for some part of the academic enterprise or one of the supporting activities; University Police personnel; health staff; development officers; staff in Alumni Relations; administrative and faculty sponsors of officially recognized clubs, organizations, etc.; members, including students and alumni, of official college (or University) committees; staff personnel employed to assist University officials in discharging professional responsibilities; and persons or entities under contract with the University to provide a specific task or service related to the University's educational mission.

10. **Do University employees have to obtain the student's permission before reviewing a student's educational record?**

"University officials" are permitted access to student educational records without student consent as long as those officials have a "legitimate educational interest" in that student's record. Under those limited circumstances the student's permission is not required.
11. What constitutes "legitimate educational interest"?

According to the US Department of Education, 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 responsibilities for the University of Southern Maine.

12. Are there any other conditions under which student education records may be disclosed without the student's consent?

Yes, but only under very limited circumstances. For more information on those limited circumstances please reference the University of Southern Maine’s Confidentiality of Student Records Policy, which can be found at:

http://usm.maine.edu/sites/default/files/Office%20of%20the%20Registrar/CONFID.pdf