



Project Proposal

Project Name: FERPA - Family Educational Rights and Privacy Act Consent & Disclosure		Submission Date: 7/31/2008
Submitting School: Broward College	System: Student	Subsystem: Student Records
Project User Sponsor Contact Info: Willie Alexander/April Townsend Carpenter	Project Executive Sponsor: Vice President – Student Affairs (Angelia Millender)	Institutional Rank: 3
When do you expect to implement this project? <input type="checkbox"/> Upon Completion <input type="checkbox"/> With the port <input checked="" type="checkbox"/> At a separate time, outside of the port		
Is this a state or federal mandate? Yes, 20 U.S.C. § 1232g; 34 CFR Part 99		
<p>Project Description: 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.</p> <p>FERPA affords parents and students the right to obtain access to education records, as well as, the right to exercise some control over the disclosure of information from those records. FERPA guidelines define under what conditions prior consent is required to disclose information. The parent or eligible student shall provide signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records, except as provided in §99.31. The written consent must: (specify the records that may be disclosed; (2) State the purpose of the disclosure; and (3) Identify the party or class of parties to whom the disclosure may be made. "Signed And dated written consent" under this part may include a record and signature in electronic form that – (1) Identifies and authenticates a particular person as the source of the electronic consent; and (2) Indicates such person's approval of the information contained in the electronic consent.</p> <p>Since these guidelines apply to all departments within the college, the recommendation is to develop one process where students can submit their consent in an electronic format, maintain the consent in one place in the college mainframe system for display and use by all departments.</p> <p>Specifications:</p> <ol style="list-style-type: none"> 1) Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a bulletin, student handbook, or newspaper article) is left to the discretion of each school. In addition, schools must provide an annual list of contractors that qualify as school officials or agencies that perform duties for the college (collection agencies, etc) Suggested: Annual web notification or email with instructions to change FERPA consent and disclosure information. 2) Create a web based screen that allows students to: (1) Opt out of the disclosure of directory information; (2) Authorize the disclosure of information including: a) records to disclose (check boxes), b) purpose of disclosure, and c) party to whom disclosure may be made; (3) Require completion of 3 verification 		



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questions student must answer before receiving information via telephone.

- 3) If a parent claims the student as a dependent on the current year's taxes, the parent is automatically entitled to disclosure of student records. To disclose info to the parent, rather than requiring a physical copy of the tax document, add functionality for the student to identify "claimed by parent" and the parent's full name or "unclaimed".

College access to all of the information collected above should be easily retrieved from all subsystems. Consent will remain in effect until such time as the student changes disclosure preferences.

- 4) At present, Cashier receipts contain information protected by FERPA. When a third party (parent, spouse, employer, etc) remits payment to the college, the college may not provide a payment receipt to the third party without consent as detailed above. This is particularly problematic when the payee pays cash and no receipt may be provided. The need exists for the creation of a third party payment receipt. From cashiering, when the printer window appears, add a flag to print a generic receipt rather than the standard student receipt as it currently exists.



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Benefits and Goals: This project will eliminate the need for each department to maintain or acquire consent from the student at the point of contact (sometimes this can occur multiple times, across multiple departments); the student will provide consent only one time; consistent information will be maintained for all students thereby reducing the risk of the release of unauthorized information, and result in College compliance with FERPA.

Project Risk: Unauthorized user access to change consent and disclosure.

Per <http://www.ed.gov/legislation/FedRegister/finrule/2004-2/042104a.pdf>, PIN requirements for electronic signature:

Issuing a PIN or Password Comments: One commenter stated that schools that issue a PIN to students as outlined in the FSA Standards can result in a PIN that is recorded and accessible to school officials. The commenter is concerned that this conflicts with FERPA policy that a PIN is not acceptable for use under FERPA if persons other than the student have access to the PIN.

Discussion: The process described in the FSA Standards does not permit school officials to access a student's PIN or password. In addition, the FSA Standards permit an eligible student to change an assigned password or PIN to one of their own choosing. Under the FSA Standards, all of the passwords or PINs, whether assigned or student-selected, are maintained in a secure database in an encrypted manner that is not generally accessible to school officials or other parties.

A school that uses a similar methodology would remain in compliance with requirements for the acceptance of an electronic signature under FERPA. However, a school may not use a PIN or password process that results in a PIN or password that is visible and easily accessible to persons other than the eligible student because that type of process results in an insecure PIN or password. Schools retain the maximum flexibility to implement any appropriate methodology.

Additional Comments and supporting documents: Additional FERPA information may be obtained from:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

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Received date	
Received by	
Reviewed date	
Project Number (if approved)	
Submitted to Tech Committee	

