

Final Report for Professional Development Grant

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College Student Personnel

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B. Restatement of problem/creative work

In March 2017 I presented at the NASPA (National Association of Student Personnel Administrators) national conference in San Antonio, TX, for a program entitled, *False Consensus and FERPA*.

C. Brief review of creative work

This presentation shared information regarding a research study that was conducted via surveys of student affairs professionals across the U.S. and how they and their colleges and universities interpreted FERPA.

D. Summary of findings, outcomes, or experiences had

In this conference presentation my main aim was to show that we do not need to be afraid of FERPA. In its simplest form, FERPA prohibits us from sharing knowledge from a student's educational record with others without the student's consent, unless that knowledge would be useful in the staff's normal and required professional duties. However, a great source of confusion is what FERPA has deemed "directory information," which includes items such as date of birth, address, email addresses, and so on, and these are not protected under FERPA. In fact, many things are not protected under FERPA, but FERPA is frequently incorrectly invoked as the reason to not share information with others, including parents. Explaining this during my session shocked some members of the audience, but not as much as the next item, which was observations of student behavior, which are also not protected under FERPA. For example, if a faculty member talks with others about a student's rude behavior in the classroom, this would not be a violation of FERPA, although it might still be against college and university policy and even state privacy laws. Finally, audience members seemed to be relieved that no higher education institution in the U.S. has ever lost funding due to violating FERPA. Instead, if someone files a

complaint with the Department of Education, the institution will be notified and given an opportunity to correct any errors.

E. Conclusions and recommendations

The session was well-attended and generated a lively discussion. It became quite clear that FERPA remains a very confusing topic to many due to primarily to misunderstandings of the law. I am currently working on a manuscript related to the findings of this study.