LESSON 5

Week 5: “FERPA & Why We Can’t Tell You Anything about Your Kid” (September 28 – October 4)
& “Talking to Professors”

Important Dates/Notes: Not Any (It’s just a “regular” kind of time.)

Topic A: Until now, things have most likely been fairly quiet. Your son or daughter now has a daily schedule—whether they know it or not—and the 4th week of classes may be a good indicator of how the rest of the semester is going to look. The newness is wearing off, many friends have been made, habits are being developed, and there may have been a quiz or test already given and graded.

It’s understood parents have a high priority on how well their students are doing in school; however, all students are covered by a Federal law called the “Buckley Amendment” or “Family Rights and Privacy Act of 1974.” For short, we call this FERPA; and because of this legislation, no one on campus is allowed to speak about a student’s progress, grades, courses, if they are attending…anything…without a student’s consent. Students give this consent by waiving their FERPA right, and they can do this through eWeb.

Why is this important?

The law is important because it focuses on protections involving student privacy by limiting who has access to student records without their consent. It also allows the opportunity to challenge the information contained in the files through formal or informal means.

Students have the right to:

1. Review (access) information (institutions must provide this in 45 days of request).
2. Have copies when failure would effectively deny access (university can charge costs unless it denies access).
3. Not have information destroyed if requested information is currently being exercised.
4. Not have information released unless criteria for exceptions are met.
5. Have information released upon request.
6. Seek to have records amended.

What is a student?

Any individual who is or has been in attendance at an educational institution. Students do not include applicants until they are admitted—then FERPA reaches back to all records that pertain to the student.

What are “Educational Records”?

They are records with certain exemptions, are those records, files, documents, and other materials which contain information directly related to a student, and are maintained by any employee of the University. A “record” means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.

What is “NOT” an educational record?

- Sole possession records (For instance, a faculty advisors personal notes.)
- Campus Law Enforcement records
- Physician or psychiatric records of student 18 or older
- Personnel records for university employees who are not students or which are created only in reference to their capacity as an employee
- Alumni records
- Grades on peer graded papers before they are collected and recorded by a teacher

### So…can a parent or guardian have access to a story or conversation?

A school official may generally share with a parent or other person information that is based on that official’s personal knowledge or observation of the student that is not derived from an education record. In short, an academic advisor, let’s say, can tell a parent that a student may discuss just how much they are studying…or going to parties…or skipping class…if that’s part of their personal knowledge or observation of that student.

### What parents don’t usually hear, but you do because you’re reading this lesson!

An institution may, but is not required to disclose education records to parents without the student’s consent:

- If the student is claimed as a dependent for tax purposes;
- If their son or daughter is involved in a health or safety emergency;
- If the student is under 21 and has violated a drug/alcohol policy

### Health and Safety Emergencies…

- An institution may take into consideration the “totality of the circumstances” pertaining to a threat to the safety or health of the student or other individuals.
- The new regulations state that if there is “an articulable and significant threat,” then the information may be disclosed.
- Institutions must record a description of the threat that formed the basis for the disclosure and the parties to whom it was disclosed.

* Thanks to Eastern’s Angelo Simoni for his FERPA presentation and much of the information found in this section!

### Topic B: It’s time to encourage your student to go and meet their professors during their professor’s office hours.

Student may think professors are not willing to speak with them, or are “out of touch” with them, but that’s not true. Students may feel intimidated by professors. It shouldn’t be that way.

Professors at Eastern are here, teaching, because they enjoy students. They are regular people who have a love of a discipline and want to share that with students. Most students will find that if they approach an instructor with respect that they’d like to be treated with, the interaction will go very well. In fact, many students may find mentors or references through professors they never knew they’d have common ground with just by starting a conversation.

Here’s some things for students to keep in mind that help the relationship (Adapted from “Advice for Students: How to Talk to Professors” by Dustin Wax on Lifehack.org website):

- Call them by the right title. A “Doctor” is someone with a PhD; not all professors have a PhD. “Professor” is usually appropriate, unless you’ve been told otherwise. Some prefer to be called by their names, and they will make that point clearly on the first day of class; if a professor hasn’t said anything about it, don’t use first names. If you’re totally unsure, a “Mr.” or “Ms.” is usually
fine. Do not use “Mrs.” unless the professor herself uses it; after 30 years of women making this point, it’s time to recognize that not all adult women are or want to be married.

- Tell the truth. After the first couple of semesters of teaching, your average professor has pretty much heard it all. It’s a sad fact, but true nonetheless, that we grow pretty jaded and take all student excuses with a grain of salt. If a professor thinks s/he’s being played, they’re not going to respond very well to whatever request you have to make, so you might as well be honest. If you feel you absolutely must lie, at least make it a huge flaming whopper of a lie, so the professor can get a good laugh when they share it at the next faculty meeting.

- Be prepared to do the work. If you’ve missed an assignment or a test or are falling behind in your reading, and you are seeking help to get caught up or a special dispensation to make up the assignment, you’d better be prepared to do the work — and generally under more difficult circumstances. I get the impression that a lot of students imagine I might just say “don’t worry about it, I’ll give you the points anyway” which, of course, is not going to happen.

- Be clear and concise. Unless you’re paying a “social call”, get to the point quickly: tell your prof what you need or want and be done with it. Don’t spend 30 minutes explaining your childhood and family arrangements and how hard it is getting a job with a few felony convictions on your record and blah blah blah for a 10-point assignment. Simply say “Professor, I missed an assignment, can I make it up? Can I do something else?”

- Pay social calls. Your professor is probably required by school policy to be in his or her office and available to students for a set number of hours per week. On top of that, most professors like talking to students — it’s part of the reason we took the job. Chances are, though, that s/he spends the majority of her or his office hours playing Minesweeper and reading email, because students almost never drop in on her. Pay your professor a visit or two, just to talk. Tell him or her about the work you’re interested in or about problems you’re having (but remember, a professor is not a therapist; they’ll talk about whatever you want, but may not be able to offer professional advice). Build relationships with your professors — at the very least, they’ll remember you when you call up three years later asking for a reference letter.

- Do not, under any circumstances, flirt. The days of professors marrying their promising students are long, long gone. Nowadays, even the hint of favoritism can ruin a professor’s career — let alone any actual relationship-type behavior. Unless your professor is a total sleazebag, any sign of flirtation will make him or her shut down immediately. They simply cannot risk it.

- Prepare for disappointment. Depending on how far you’ve let your studies slide, there might not be anything a professor can do and still be fair to the rest of her or his students. Or it might not be technically possible: arranging make-up tests, for example, is difficult. Your prof probably spent hours writing his or her syllabus, and probably spent another hour explaining it to you at the beginning of the class, so he or she’s got a lot invested in the rules it explains. Too many students try to bend or break the rules for her or him to be easily swayed from them. They especially hate it when people don’t do an assignment and then ask for a way to make it up; it throws off our whole “rhythm” to read an assignment from 6 weeks ago. So often a professor won’t or can’t help you. Your only option might be to shift into damage control, see what you can do, and ask honestly if you should continue in the class. And learn from your failure; take the class again and do it right.
Hold the threats. Professors get threatened with lawsuits a lot, and even threats of physical violence are not unheard of when things don’t go a student’s way. Obviously, professors aren’t going to respond very well to threats. On top of that, most professors have pretty good relationships with their departments and superiors, which means they know that baseless accusations and going over their heads isn’t going to get a student very far. If you find yourself needing to resort to threats, chances are you probably don’t have much of a reason for a professor to help you out, and you should start thinking about how to do better next time.

As I said, most professors will respond in kind if you treat them openly and decently. We didn’t become professors because we wanted to make students’ lives miserable (well, most of us, anyway…). We became professors out of a passion for our disciplines and a desire to share our knowledge with you. As a general rule, professors respect commitment and genuine curiosity, and will go out of their way to help if they feel that you are honestly interested in doing well. On the other hand, professors get to feeling pretty used by the numerous students who work hard only at gaming the system, and if they feel you’re one of those students, they’re not likely to bend very far to make life easier for you.

**Assignment/Points**

- Ask your student—if you’ve both agreed to it—if they’ve given you access to their educational record through eWeb. 5 points if you talk about it.

- Ask your student if they’ve ever gone just to talk to their professors. If they have—or they do after you suggest it, give yourself 5 points.