What is the Applicability of FERPA in my Research Study?

Is the project conducted in an educational agency or institution that receives and Department of Education funding?

Yes

NO

Does the Project involve Educational Records? (Education records inculde any record that can be linked to a student, i.e. class assignments, advising notes, transcripts, videos of students in a class, online discussions in Canvas, etc.)

NO

FERPA does NOT apply

Yes

Can you readily ascertain an individual's identity from the Educational Record?

NO

FERPA does not require consent for access to the educational records

Yes

Is the information restricted to "Directory Infromation"?

Yes

FERPA does not require consent for release of directory information. However, 34 CFR 99.37 provides certain additional conditions (including public notice to students and students right to refuse.

No

Is the study conducted for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive test; administer student aid programs; or improve instruction?

Yes

Waiver of consent may apply.

No

FERPA requires consent for access to educational records.

The consent form must meet the following requirements:
- Be dated with a written signature

NOTE: electronic signature is acceptable if obtained within an authenticated environment, i.e. AUACCESS

- Specify the records to be disclosed
- State the purpose of the disclosure
- Identify to whom the disclosure may be made

Is Consent Permission Required?

What is Directory Information?

Auburn University will provide the following "directory" information to all inquires without students' written consent
- Student's Name
- Current mailing address and telephone number
- Auburn email address (other email addresses are not direcotry informamtion
- Most recent classification & curriculum
- Full-time or part-time enrollment status
- Participation in officially recognizeed activities and sports
- Term/Date of attendance (does not include specific daily records)
- Degrees and awards received
- Photographs, videos or other electronic image (released only in connection with official AU publication)

Other instiutions may define "Directory information" differently. Check with the institution providing records.

Does my Study Meet the Requirements for a Waiver of Consent?

If the study meets the following criteria, consent may be waived under FERPA:
(1) The study is conducted in a manner that does not permit personal identification of students by individual other than representatives of the organization that have legitimate interests in the information.
(2) The information is destroyed when no longer needed for the purposes for which the study was conducted
(3) There is a written agreement in place with the organization that specifies the purpose, scope, duration of the study(ies) and what information will be disclosed; required that personally identifiable information from education records are used only to meet the purpose or purposes of the study; ensures in writing that item 1 & 2 (above) occur.