

True/False Quiz Answer Key

Question	Answer	Notes
1	F	With specific exceptions, "education records" are those maintained by the institution in any format that are identifiable to the student.
2	F	While we legally have 45 days to respond, consider whether or not you feel that an unreasonable time.
3	F	All faculty and staff must show a "legitimate educational interest/need to know" within the context of their role to have appropriate access to education records.
4	F	There is no implied consent in FERPA, so you need to follow regular guidelines for releasing this student record information.
5	T	"Sole possession" records are an exception to the definition of "education records," and are therefore not accessible by the student.
6	F	If the student is legally financially dependent on either parent, then either parent can submit a request to access the student's record. If the institution would provide access for one parent, it should do so for either parent.
7	T	While the institution must provide access to the student, it does not need to do so to a third party under these circumstances.
8	T	So long as the record currently exists, it would be part of the student's "education record" and the student has the right to access it.
9	F	Medical treatment records are covered by HIPAA, not FERPA.
10	F	If the student is found in violation of the institution's conduct code related to a "crime of violence," then the student's name, violation and result of the disciplinary hearing are public information—releasable to anyone. Detailed disciplinary records are never public information.
11	F	A state court has legal jurisdiction only within that state. However, it is permissible for the institution in Ohio to respond to the California subpoena as a matter of professional courtesy. All the FERPA requirements regarding responding to subpoenas must be followed.
12	F	There are three issues here. First, grades and GPAs can never be directory information. Academic honors (e.g., Dean's List) can be directory information if the school has so designated academic honors to fall in that category. The question of top 10 percent of grades falls into a somewhat gray area, since it does not directly provide access to grade information for an individual student, but also does not meet the definition of directory information. In fact, it comes close to identifying grade information. Our recommendation is that schools not release the names of students in a top category of grades if that category is not designated as an academic honor in directory information.
13	D	It depends on HOW he posted the grades. If by name, Student ID Number, SSN (or part thereof), or something that can be fairly easily interpreted by a third party, then "yes," it's a violation. However, if the grades were posted by some "code" known only by the student and instructor, then that's OK.
14	T	This is true for any student under the age of 21 — regardless of whether or not the student is financially dependent on his or her parents.
15	D	If the student is not yet "enrolled" or "in attendance" (institutional definition), then a FERPA "education record" has not yet officially begun. This is also true if the student is never admitted. However, if admitted and enrolled, all admissions records are then "folded into" the education record.
T=True, F=False, D=Depends		