

A GUIDE TO: REFERENCE LETTERS and FERPA

How to be FERPA compliant



INTRODUCTION

Both faculty and staff may be asked by current or former students to write reference letters.

Under the Family Educational Rights and Privacy Act (FERPA) you are considered to be a “school official” and you are responsible for being sure that you are FERPA-compliant.

WHAT YOU CAN INCLUDE WITHOUT THE STUDENT’S PERMISSION

You can include the following in your reference letter without obtaining the student’s written permission:

- **Directory information** as defined in the *Doane College FERPA Policy Statement* unless the student has requested non-disclosure.
- **Your observations and assessments** of the student’s ability based on information that is known to you personally as opposed to known to you because you have seen the student’s records.
 - For example, objective observations such as “stellar student,” “takes part in class discussions,” or “mediocre performance” and behaviors that you have observed leading you to make such statements can be disclosed without the student’s consent under FERPA.
 - *In contrast*, if you write that the student has been outstanding in all courses, which you know from reviewing the student’s transcript, this information comes from an education record and cannot be disclosed without consent.

WHAT YOU CANNOT INCLUDE WITHOUT THE STUDENT’S PERMISSION

You cannot include non-directory information from the student’s education record without written consent, including things as:

- GPA
- Course grades
- Social security number
- Information you learned reading another faculty member’s evaluation of a student

The term “education record” is defined broadly and includes any personally identifiable information maintained in any format by the College. A letter of reference becomes a part of the student’s education record and, therefore, subject to FERPA. Please forward reference letter copies to the Registrar’s Office to be kept in the students’ permanent academic record.

For more information on FERPA, and to see the entire FERPA Policy, please visit the Registrar’s web page on the Doane website.

Questions and concerns can be sent to the Registrar at registraroffice@doane.edu or 402-826-8251.