

Family Educational Rights and Privacy Act (FERPA) for Letters of Recommendation

FERPA is a federal law that protects the privacy of enrolled and former student education records.

Key points when considering FERPA and letters of recommendation:

- At the post-secondary level, all students have a right to confidentiality when it comes to their education record.
- Consent to release education data must be obtained prior to including education data in a letter of recommendation if being released to anyone other than the student.
- A request for a letter of recommendation does not equate to consent to disclose FERPA-protected education records.
- Only information permitted by the student for disclosure can be included in a letter of recommendation if being released to anyone other than the student.
- If a letter of recommendation is provided directly to the student themselves, no consent form is necessary.

Education Records: Includes any record, maintained in any medium, by an institution that is directly related to student(s) and can contain name or any information from which an individual student can be personally identified.

Directory Information: Education record information that is generally considered not harmful to students if publicly released. Review the Texas A&M University published list of items falling under Directory Information at <https://registrar.tamu.edu/about-us/policies/ferpa>

- Students may place directory holds on their directory information. Suppressed information may not be released without prior, written consent by the student.

WHAT DOES THIS MEAN FOR WRITING LETTERS OF RECOMMENDATION?

Student workers, or those whose employment is contingent upon status as a student, is FERPA-protected:

- If a letter of recommendation will detail employment information for a student worker, a consent to release that employment information is required if being released to anyone other than the student.

Student academic performance and course enrollment is FERPA-protected:

- If a letter of recommendation will detail student academic performance in a particular program or course, student GPA, or grade in a particular course, a consent to release education data is required if being released to anyone other than the student.

Consent to Release Education Records/Data for Letter of Recommendation:

- Release should include what information (specifically) is allowable for release, to whom, for what purpose, and should include the student name and signature.
- Receipt of document via university email (@tamu.edu) account can be utilized in lieu of signature (dual authentication with university email allows for identity verification).
- The Office of the Registrar has provided [consent forms](#) for letters of recommendation for both graduate/professional school and employment.

Document Handling:

- Follow [IT Security policy](#), which indicates university data classified as [confidential](#) or higher (including education record data) that is transmitted in an email message must be encrypted. To ensure compliance with FERPA, we recommend utilizing Filex for electronic document transfer of sensitive data.