FERPA Health or Safety Emergency Exception

When is it permissible to utilize FERPA’s health or safety emergency exception for disclosures?

In some situations, school administrators may determine that it is necessary to disclose personally identifiable information (PII) from a student’s education records to appropriate parties in order to address a health or safety emergency. FERPA’s health or safety emergency exception permits such disclosures when the disclosure is necessary to protect the health or safety of the student or other individuals. See 34 CFR §§ 99.31(a)(10) and 99.36. This exception to FERPA’s general consent requirement is limited to the period of the emergency and generally does not allow for a blanket release of PII from a student’s education records. Rather, these disclosures must be related to an actual, impending, or imminent emergency, such as a natural disaster, a terrorist attack, a campus shooting, or the outbreak of an epidemic disease.

From: https://studentprivacy.ed.gov/faq/when-it-permissible-utilize-ferpa%E2%80%99s-health-or-safety-emergency-exception-disclosures

What does this mean?

• The health or safety emergency exception is specific to the University’s school officials sharing information externally (e.g., with law enforcement) when requisite conditions are met.

• School officials with a legitimate educational interest can share information between each other without relying on the health or safety emergency exception.
  • If you have concerns about a student harming themselves or others – please submit a CARE Report to the Dean of Students
  • As a school official, you can receive and share confidential education records/information about a student with other school officials to ensure the safety of yourself, your colleagues, and other students.

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Utilizing the health or safety emergency exception for external reporting is the responsibility of school officials in these units:

- UAPD
- Campus Health
- Dean of Students (via submitted CARE reports)
- Other units as authorized by the Office of the Registrar

Examples of Health & Safety Exceptions:

- Reporting a health crisis to a parent (ex: a student has been hospitalized because of a sudden illness while living in a dorm)
- Reporting a threat to law enforcement outside of UAPD (ex: an online student living outside of Tucson has made threats about a local community organization via email, and UAPD contacts that local entity)

Resources:

- UAPD: https://www.uapd.arizona.edu/
- Critical Incident Response Team: https://cirt.arizona.edu/

Questions or Guidance: registrar@arizona.edu

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