

Some guidelines when acting as a reference for students

Faculty may be asked by a student to provide an oral or written recommendation or serve as a reference. This memo provides some points for consideration. As examples, one might wonder what information am I allowed to disclose, or whether I can be subject to charges of defamation based upon my comments.

Faculty who include information regarding a student's education record i.e. student's GPA or grades are required to obtain the signed written consent of the student prior to the disclosure as noted in the Family Educational Rights and Privacy Act (FERPA). Under FERPA, students (1) have the right not to consent to the release of their educational records, (2) have the right to receive a copy of any written references upon request and (3) may, but are not required to waive their rights to access of confidential references.

The **National Association of Colleges and Employers (NACE)** provide the following tips for faculty asked by a student to provide a reference:

"To be defamatory, a statement must be false and must harm the person's reputation (i.e. loss of employment). A substantially true statement may be defamatory if it is incomplete and misleading. Statements of opinion may be defamatory if they are based on unsubstantiated facts.

Provide factual information, based upon personal knowledge/observation of the person through direct contact with the person or obtained from the person's student record.

Respond directly only to the particular person who requested the information.

If you make subjective statements or give opinions because they are requested, clearly identify them as opinions and not as fact.

Do not include information that might unnecessarily indicate the student's race, color, age, religion, national origin, disability, sexual orientation, or marital/parental status."

Attached is a sample release form you should use when a student asks you to be a reference. A signed copy should be kept in your department.

Please contact Career Services if you have any questions. Thank you.

Daemen College Reference Request

Student/ Former Student Name: _____

I request _____ to serve as a reference for me for the following purposes: (please check all that apply)

- application for employment
- scholarship or award
- admission to another educational institution

The reference may be given in the following form(s): (please check one or both spaces)

- written
- oral

I authorize the above-named person to release information and provide an evaluation of any aspect of my academic performance and my educational records at Daemen College with the exception of _____ .TO: (please check all that apply)

- all prospective employers OR specific employers (please list on reverse side)
- all educational institutions OR specific educational institutions (please list on reverse side)
- all organizations considering me for an award or scholarship OR specific organizations (please list on reverse side)

I understand further that:

1. I have the right not to consent to the release of my education records;
2. This consent shall remain in effect until revoked by me, in writing, and delivered to the above-named person to whom this release is granted, but that such revocation shall not affect disclosures previously made by the above-named person prior to receipt of any such written revocation.
3. I release the above-named person and Daemen College from all claims and liability for damages that may arise from their compliance with this request.

I waive (OR) do not waive (check one) my right under FERPA to review and receive a copy of any reference provided pursuant to this authorization. I understand that if I waive the right to review and receive a copy of this reference, that I will not have the right to inspect such a document at a later date.

Student/ Former Student Signature

Date