

Privacy Rules Must Be Tempered by Common Sense

By Frank G. Splitt

It is ironic that the lead Letters to the Editor in the April 16, 2007, issue of *The Wall Street Journal* were headlined “Student Suicides: Privacy Rules Must Be Tempered by Common Sense.” Little did the editors know that the same day would see a student-gunner kill 32 people and himself on the campus of Virginia Polytechnic Institute.

It has now been reported that the student kept to himself, was disdainful of all overtures to socialize, was a stalker, and caused deep concern among some of his professors who considered him “troubled.” His ‘case’ was referred to school authorities by a writing teacher who was deeply disturbed by themes of obsessive hatred in his assignments. Nothing of substance came of this potentially life saving intelligence. How could this be? Simply put, college presidents and administrators live in fear of violating the privacy provisions of the Family Educational Rights and Privacy Act (FERPA).

It is also ironic that FERPA is the very same act the NCAA and its member schools abuse for their own benefit — using the act to shield from public view the academic corruption that not only allows them to recruit and roster academically unqualified blue-chip athletes requisite to fielding competitive teams at the NCAA D-1 level, but to sustain the phony “student-athlete” ruse with its derivative tax-exempt status as well.

The above illustrates how FERPA is used and abused to the detriment of students and faculty as well as America’s taxpayers and the higher education enterprise. The Drake Group has been advocating for a revisit of FERPA by the U. S. Congress to prevent its use as a cover for academic corruption in college athletics.

Perhaps the tragedy at Virginia Tech will provide Congress with the motivation to remedy the flaws in the act that effectively prohibit common sense approaches to serious problems besetting higher education.

Frank Splitt is a member of The Drake Group, <http://thedrivergroup.org>. A version of this commentary was posted April 18, 2007, on insidehighered.com. It was written in response to Andy Guess' column "Evaluating the Response," <http://insidehighered.com/news/2007/04/18/techresponse>, and was based on an earlier letter to the Wall Street Journal.