

More Information about FERPA Waivers

The Poway Unified School District strongly suggests that a student/parent/guardian who seeks a letter of recommendation waive access to this material. We hope you will read the following excerpts from various sources regarding waiving access before you make your decision. While many are based on college/graduate school interaction, the same logic applies for letters from high schools to undergraduate admissions offices.

“The strong consensus is that you should waive your right of access to see your letters of recommendation.”

The University of Chicago Pre-Law Guide informs us that "You have the right to see what is written on your behalf. By indicating on the blank form that you do not wish to waive your right of access, you may view the letter at any time. However, the recommender will be aware of this and will write accordingly. By indicating that you waive your right of access, you allow your recommender to be more candid. Invariably, a law school admissions reader will take a letter of recommendation more seriously if you have waived this right." Pre-Law Advising at Lowell House advises that you should "Be sure to waive your rights of access to the recommendation. Readers will assume that a confidential recommendation is frank. Almost no one will place value in a non-confidential letter."

Harvard Careers in Law "recommend[s] that you waive your right to see the letter to ensure that there is no doubt in the minds of the admissions committees that the recommender wrote the letter without restraint."

From the "Pre-law Handbook" at http://www.prelawhandbook.com/letters_of_recommendations

"The Federal Educational Rights and Privacy Act of 1974 (**FERPA**) gives **enrolled** students the right to view the contents of their files. If recommendations are part of your file, you are entitled to see them along with the rest of the information in your file, if you are admitted **and enroll as a student** at that school.

It is common practice for a recommendation form or instructions to ask the applicant to sign a **voluntary** waiver of review rights, which means that you are giving up your rights to see the recommendations written on your behalf. The key word here is **voluntary**. If you feel strongly about it, you may refuse to give such a waiver. In my opinion, there are three good reasons to waive your rights to see recommendations:

1. It is commonly assumed that your references will be more candid in their statements about you if they know the recommendation will be kept confidential.
2. If you are not admitted to a given institution, you have no legal right to see the recommendations anyway, unless you are a currently or previously-enrolled student at **that** university
3. If you have chosen your references carefully so that you know they are going to give you a good recommendation, there is little need to see the recommendation once you are admitted."

From: <http://www.uwm.edu/~ccp2/work/recletter.html>

"Many professors will recommend that you waive your right to inspect your files and your letters, and some won't write a letter for you unless you do so. The reason for this is that if you don't waive this right, graduate schools may not take the letter seriously, because it may look like you have something to "hide." If you can't trust what a professor has to say about you, then they may not be the right person to be writing the letter for you."

From the University of Georgia at: <http://www.uga.edu/psychology/undergrad/recletter.htm>

"Federal Law grants you access to your letters of recommendation, but many applications include a form where you can waive your rights to read the letter. We highly recommend that you waive your right to read the letter when given the option to do so. Waiving your right reassures the admissions readers that the instructor has written a candid letter that is, without the bothersome pressure of knowing that you might read it one day. Studies have shown that confidential letters carry far more weight with admissions readers. In addition, letter of recommendation writers are far more comfortable writing a complete, candid letter when they know the applicant will not have access to the text. If you fear that the letter writer might not do justice to your achievements or might include negative information well, that's a good sign you should not be asking that person for a letter of recommendation."

From "Consulting Career Quest" at: <http://www.consultingcareerquest.com/recommendations2.php>

"It is considered a sign of faith in yourself to trust that a recommendation writer will say good things about you. Some scholarships actually provide a waiver in which you are given the option to waive your right to see the letter. If you have this option, I encourage you to select that you waive your right to the letter. You will likely be perceived as overly controlling or doubtful of your own abilities if you do not waive this right. If such a form is not provided, and you are compiling the parts of the application, including the letters to mail in, your recommender may give you the letter in a sealed envelope. You should NOT open this letter. On the other hand, if a writer provides you with a copy of the letter, it is acceptable for you to read it."

From the "University of Illinois" at: <http://www.uic.edu/depts/oa/spp/advice>

"Very important: you should sign Yes, you do waive. Favorable comments in the LOR are more convincing if you sign the waiver. There is a common suspicion that non-waived letters (which might be seen by the applicant) are less objective and tilted in favor of the applicant."

From "The College of William and Mary" at: <http://www.wm.edu/psyc/newhblor.php>

"Thou shalt influence thy students to waive access privileges. Students should be made to recognize that selectors naturally trust a confidential letter more readily than an open-access letter. Some faculty members share copies of their letters with students, but on their own terms."

From "The Ten Commandments for Writing Letters of Recommendation" at <http://www.aaup.org/publications/Academe/2006/06mj/06mjschatab1.htm>

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From "Top 10 MBA" at: <http://www.top10mba.com/recommendations.htm>