

# STUDENT RECORDS AND FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. These rights include:

- The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. The student should submit to the Registrar a written request that identifies the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the Registrar does not maintain the records, the student will be notified of the office that does maintain the record.
- The right to request the amendment of the student's education record that the student believes is inaccurate or misleading. A student who wishes to ask the University to amend a record should write the Registrar, clearly identifying the part of the record the student wants changed, and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is the disclosure to school official with legitimate education interests. A school official is defined as a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to provide service instead of using University employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibilities for the University.<sup>1</sup>
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of St. Francis to comply with the requirements of FERPA. The name and address of the office that administers FERPA is

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605.

An exception is the disclosure of directory information. The University of St. Francis defines directory information as: student name, e-mail address, hometown, dates of attendance, awards and honors, academic majors, date of birth, enrollment status (e.g., undergraduate or graduate, full-time or part-time), degrees conferred (including dates), and participation in officially recognized activities or sports (height, weight, position, photograph), if an athlete. Such information may be disclosed,

without the student's consent, at the institution's discretion, except as specified in the note below.

Upon request, the University may also disclose education records without consent to officials of another school in which a student seeks or intends to enroll. Written verification of such intent will be obtained. **All requests to release a student's record must be made in writing and signed by the student as described under the "Requests for Transcripts" in the University's Academic Catalog.**

**Note:** Currently enrolled students may withhold disclosure of all of the above items of information under FERPA. Please consider very carefully the consequences of a decision to withhold directory information. A non-disclosure block will call for the University of St. Francis not to release any of this "directory information;" thus, any future requests for such information from non-institutional persons or organizations (e.g., future employers) will be refused. To withhold disclosure, written notification, on the form specified, must be submitted by the student to the Registrar's Office. This may be done at any time within a semester of enrollment. The student's notification of non-disclosure will remain in effect until the student notifies the Registrar's Office, in writing, of removal of the non-disclosure status. Regardless of the effect upon you, the University of St. Francis assumes no liability as a result of honoring your instructions that such information be withheld. The University of St. Francis assumes that failure on the part of any currently enrolled student to specifically request non-disclosure of directory information items indicates individual approval for disclosure.

<sup>1</sup> As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records – including your Social Security Number, grades, or other private information – may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.