

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. Education records are directly related to the student and are maintained by the University. Student educational records are confidential and will only be shared by University officials with other University faculty or staff or with lending agencies that have a legitimate interest to know certain information. FERPA prevents the release of information about a student, other than Directory Information, without the student's consent.

Under FERPA, students are given certain rights regarding education records:

1. The right to inspect and review education records pertaining to the student kept by the University.
2. The right to request the amendment of education records the student believes to be inaccurate, misleading or otherwise in violation of his or her privacy rights.
3. The right to limit disclosure of education records.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by the institution to comply with the requirements of FERPA and the regulations.

The complaint should be in writing and contain specific allegations of fact. The complaint should be sent to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

The following documents are located in the School of Law's Office of the Registrar:

1. Information regarding the Family Educational Rights and Privacy Act of 1974, as amended.
2. Law Student Request to Review Education Records.
3. Law Student Request to Amend or Remove Education Records.
4. Law Student Request to Limit Disclosure of Directory Information.
5. Law Student Consent for Access to Education Records.
6. Third Party Request for Law Student Information.

Directory Information

Directory Information is information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student's name; student's address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; classification; enrollment status, (undergraduate or graduate, full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and/or awards received; and previous education agency or institution attended.

Information that can never be identified as Directory Information are a student's social security number (SSN); student identification number (SID); race and ethnicity; gender; religious preference; country of citizenship; grades and grade point average; class schedule; disciplinary actions; and biometric record (for example, fingerprints).

cont.

Disclosure Without Consent

Please note that the University may be permitted or required to release educational records without a student's consent under the following conditions: school officials with legitimate educational interest; other schools to which a student is transferring; specified officials for audit or evaluation purposes; appropriate parties in connection with financial aid to a student; to local officials or authorities pursuant to a specific law regarding the juvenile justice system; organizations conducting certain studies for or on behalf of the school; accrediting organizations; to comply with a judicial order or lawfully issued subpoena; appropriate officials in cases of health and safety emergencies; to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense; to a parent if the student has violated any law, rule, or policy governing the use or possession of alcohol or a controlled substance; or the disclosure concerns sex offenders required to register under Federal law. (34 CFR § 99.31)

Disclosure to School Officials with Legitimate Educational Interests

The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including University law enforcement personnel and University health staff); a person or company with whom the University has contracted as its agent to provide a service instead of or in addition to 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, such as a disciplinary or grievance 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 education record in order to fulfill his or her professional responsibilities for the University.

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