

STUDENT PRIVACY RIGHTS (FERPA) (April, 2024)

PURPOSE

To inform the administrators, faculty, staff, and students of their responsibilities and duties concerning FERPA.

SCOPE

This policy is a University policy that applies to all administrators, faculty, staff, and students. The Registrar will be responsible for the oversight of this policy.

POLICY

FERPA ([Family Educational Rights and Privacy Act](#)) also known as the Buckley Amendment was passed by Congress in 1974. All institutions that receive federal financial aid are required to comply with the FERPA laws. FERPA grants all enrolled college students the following four specific rights.

- 1. The right to inspect and review the student's educational records*
How does a student do this: A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) that the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. The right to inspect does not entitle the student to have copies of their records, only to view them. Individuals must come to campus to do so. Special arrangements can be made if the distance is not commutable.
- 2. The right to request the amendment of the student's educational records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.*
How does a student do this: A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify 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 the student's 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.
- 3. The right to withhold the disclosure of a student's educational records except for legitimate educational interests.*
How does a student do this: All student educational records are kept confidential and cannot be released without the student's consent except for directory information. Students may however request that directory information also be kept confidential. To do so a student must submit a written request to the Office of the Registrar.
- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.*

How does a student do this:

Complaints can be sent to:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Directory Information vs. Non-Directory Information

A student's information may be considered directory information or non-directory information. Information that is considered directory information may be released without the student's permission, at the discretion of the University, unless the student has specifically submitted a request in writing to the Office of the Registrar requesting that all directory information be kept confidential. If a student requests that all directory information be kept confidential the University cannot release information to anyone, even a prospective employer. This level of confidentiality will remain in place even after the student withdraws or graduates and cannot be removed unless the student submits a request in writing to have it removed.

Schreiner University Directory Information

Under FERPA, every institution must determine what information will be considered directory information. At Schreiner University, the following information is considered directory information and may be released at the discretion of the University:

- student's name
- address (any on file)
- telephone listing (any on file)
- e-mail address (any on file)
- date and place of birth
- major field of study
- participation in recognized activities and sports
- photos or videos
- information on height and weight of athletic team members
- dates of attendance
- degrees and awards received
- most recent previous educational institution attended
- and high school attended

All other educational records are not categorized as directory information and cannot be released to anyone but the student without the student's consent on file (with the exception of legitimate school officials and the other exceptions noted below). Students can provide consent to permit specific individuals (parents, guardians) to access to their records by completing the FERPA Authorization.

Students can access the FERPA Authorization Form through the Registrar's office. For each individual to whom a student would like to give FERPA Authorization, the following information must be provided: Full Name, Relationship to the student, and Scope of Access.

Who is considered a legitimate school official

The University can disclose a student's educational 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, 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 a 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, 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.

Who can the information be released to besides a legitimate school official?

In certain instances student information may be released outside of the institution without the student's consent, examples are as follows:

- In compliance with any needs resulting from audits, compliance, program reviews or accreditation by any federal or state agency as well as any independent organization or body responsible for related oversight.
- To comply with a judicial order or a lawfully issued subpoena.
- To organizations conducting certain studies for or on behalf of the University.
- To appropriate parties in a health or safety emergency.
- To parents of an eligible student who is claimed as a dependent for income tax purposes. In this case, the parent must provide an IRS Tax transcript each time the parent requests this information if a FERPA authorization for this parent is not on file. The IRS tax transcript must be submitted directly to the office which holds the records in question along with a written request to access the specified student's records. The tax transcript will be required even if the transcript is already on file with the University for financial aid purposes.

What records are considered educational records?

Any type of record containing information directly relating to a student and maintained by an educational institution, or a party acting on behalf of an institution, qualifies as an educational record.

Examples of an Educational Record include:

- Biographical information
- Grades, test scores and evaluations
- Course work including papers and exams
- Class schedules or rosters
- Disciplinary records
- Billing and financial aid records
- Admission records
- Internship program records

What types of records are not considered educational records?

Certain records are not protected under FERPA as such as:

- Faculty, advisor or administrators notes which are used as a memory aid as long as they are not shared with others or put into a student's file. These are considered sole possession records.
- Campus Security Records
- Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional if the records are used only for treatment of a student and made available only to those persons providing the treatment.
- Alumni records which contain information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student.

Authorizing others to access records

As noted above, a student may authorize a parent/guardian or other eligible person to have access to their records or discuss educational records with Schreiner University faculty, staff or administrators. The student should complete the FERPA Authorization Form, through the Registrar's Office.

The following information must be entered by the student to accord access to his/her educational records to a parent/guardian/other:

- The name of the person and that person's relationship to the student;
- The scope of access being granted to the designated person; options include all records, just academic records, just financial records, just billing records, both financial aid and billing records.

If the authorized individual is meeting with a school official in person, he/she can provide a valid form of ID to verify his/her identity. If the individual inquiring about a student's records is doing so by phone, he/she will need to verify their identity before the information can be released. Authorization to access records does not entitle the authorized party to obtain copies of records or document, nor does it grant online access to the student's records. . Primarily the purpose of the authorization is to enable the authorized third party to discuss matters pertaining to academic, billing or financial matters.

Once a student is no longer enrolled

If a student's enrollment at Schreiner University lapses, either due to withdrawal, graduation, dismissal or any other reason, the information provided on the FERPA Authorization Form is no longer valid. In most cases after enrollment ceases records are only discussed with the former student but the student may authorize his/her representatives to discuss matters on his/her behalf, especially pertaining to payments.

Administrative Oversight: Dean of Students

Responsible for Implementation: Registrar