



FERPA FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT OF 1974

WHAT IS FERPA

The *Family Educational Rights and Privacy Act of 1974* helps protect the privacy of student education records. The *Act* provides for the right to inspect and review education records, the right to seek to amend those records and to limit disclosure of information from the records. The intent of the legislation is to protect the rights of students and to ensure the privacy and accuracy of education records. The *Act* applies to all institutions that are the recipients of federal aid administered by the Secretary of Education.

WHAT RIGHTS DOES FERPA AFFORD STUDENTS WITH RESPECT TO THEIR EDUCATION RECORDS?

- ❖ The right to inspect and review their education records within 45 days of the day the university receives a request for access.

Students should submit written requests to the Office of Student Records and identify the record(s) they wish to inspect. The staff of the office will make arrangements for access and notify the student of the time and place where the records may be inspected. If the requested records are not maintained in the Office of Student Records, the student will be

notified of the correct official to whom the request should be addressed.

- ❖ The right to request an amendment to the student's education records that the student believes are inaccurate or misleading.

Students may ask the university to amend a record that they believe is inaccurate or misleading. They should write the Office of Student Records, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing will be provided to the student when notified of the hearing.

- ❖ The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is 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 law enforcement unit personnel and health staff); a person or company with whom the university has contracted (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 responsibility.

- ❖ The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college 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 Ave., SW
Washington, D.C. 20202-5920

WHO IS PROTECTED UNDER FERPA?

WSSU's policy on the release of student information and educational records covers all student records maintained at WSSU and applies to any student who has completed the registration process at any time.





WHAT ARE EDUCATIONAL RECORDS?

An educational record is defined as any record (written, taped, filmed, printed, or otherwise preserved) that is maintained by WSSU or by an agent or employee of the University that is directly related to a student.

WHAT IS NOT INCLUDED IN AN EDUCATIONAL RECORD?

- ❖ Records created and maintained by the University Police strictly for law enforcement purpose.
- ❖ A record kept in the sole possession of a University employee who is the maker of the record and is not accessible or revealed to other persons except for a temporary substitute for the maker records.
- ❖ An employment record of an individual whose employment is not contingent on the fact that the individual is a student, provided the record is used only in relation to the employment of the individual.
- ❖ Records made or maintained by a physician, psychiatrist, psychologist, or other recognized health professional/paraprofessional if the records are used only for the treatment of a student and are only made available only to those persons providing the treatment.
- ❖ Alumni records which contain information about a student after the student is no longer in attendance at the University and which do not relate to the person as a student.

DIRECTORY INFORMATION?

Institutions may disclose information on a student without violating FERPA if it has designated that information as “directory information.” At WSSU this includes a student’s:

- ❖ Student’s name
- ❖ Local address
- ❖ Local landline telephone number
- ❖ Date & place of birth
- ❖ Major field of study
- ❖ Dates of attendance
- ❖ Degree conferred
- ❖ Honors
- ❖ Most recent previous education institution attended
- ❖ Participation in official recognized sports and activities
- ❖ Height and weight of members of athletic teams

A student has the right to make a written request to the Registrar’s Office that directory information not be disclosed as long as the student is enrolled at the University.



HOW DOES A STUDENT AUTHORIZE RELEASE OF THEIR EDUCATION RECORD IN THE FORM OF AN ACADEMIC TRANSCRIPT?

Students must authorize the release of their transcript by written request with signature or by completing and signing a transcript request form available in the Office of the Registrar. The cost is \$5.00 per transcript.

WHO MAY HAVE ACCESS TO STUDENT INFORMATION?

- ❖ The student and any outside party who has the student’s written request.
- ❖ School officials (as defined by the University) who have “legitimate educational interests.”
- ❖ Parents of a dependent student as defined by the Section 152 of the Internal Revenue Code.
- ❖ A person in response to a lawfully issued subpoena or judicial order, with notice to the student of intent to comply
- ❖ State or Federal educational authorities, in connection with state or federally supported education programs.
- ❖ Appropriate parties in a health or safety emergency