

## FERPA Information for Students

FERPA is the Family Education Rights and Privacy Act. This federal law regarding the privacy of student records and the obligations of the institution, primarily in the areas of release of records and the access provided to these records. Any education institution that receives funds under any program administered by the U.S. Secretary of Education is bound by FERPA requirements. Institutions that fail to comply with FERPA may have funds administered by the Secretary of Education withheld.

Education Records include such things as graded papers, exams, transcripts, and notes from a conversation with or about a student that are placed in a student's file for others in the department to reference.

### Personal Identifiable Information

FERPA identifies personally identifiable information in an education record and may not be released without prior written consent from the student. The following information may not be released without the prior written consent of the student:

- Social Security number
- Transcripts (official or unofficial)
- Grades/exam scores
- Grade Point Average
- Current class schedule
- Parent name and address
- Race/ethnicity
- Gender
- Country of citizenship
- Religious affiliation
- Disciplinary status
- Marital status
- Test Scores (TOEFL, GRE, ACT, etc.)

Exceptions to FERPA disclosure requirements are allowed.

- 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, or any other school official who has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. This include official Saint Paul committees such as Academic Program Committee and Faculty Council.

- To appropriate individuals where disclosure is in connection with a health or safety emergency and knowledge of such information is necessary to protect the health and safety of the student or other individuals.
- To parents if the student is a dependent for tax purposes.

### **Directory information**

Directory information is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Typically, "directory information" includes information such as name, address, telephone listing, date and place of birth, participation in officially recognized activities and sports, and dates of attendance. A school may disclose "directory information" to third parties without consent if it has given public notice of the types of information which it has designated as "directory information," the parent's or eligible student's right to restrict the disclosure of such information, and the period of time within which a parent or eligible student has to notify the school in writing that he or she does not want any or all of those types of information designated as "directory information." 34 CFR § 99.3 and 34 CFR § 99.37. Saint Paul will release Directory information without the prior consent of the student if the student has signed the Consent to do Business Agreement or notifies the Registrar in writing prior to or within 24 hours of receiving the request.

Directory information includes:

- Student name
- Field of Study
- Dates of attendance

### **Student Rights**

1. 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 to the University Registrar written requests that identify the record(s) they wish to inspect. The University Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the University Registrar does not maintain the records, the student will be directed to the university official to whom the request should be addressed.
2. The right to request the amendment of any part of their education records that a student believes is inaccurate or misleading. Students who wish to request an amendment to their educational record should write the university official responsible for the record, clearly identify the part of the record they want to be changed, and specify why it is inaccurate or misleading. If the university decides not to amend the record as requested by the student, the student will be notified of the decision and advised of his or her right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records to third parties, except in situations that FERPA and its regulations allow disclosure without the student's consent. These exceptions include:
  - 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 university law enforcement personnel and health staff); contractors, consultants, and other outside service providers with whom the university has contracted; a member of the Board of Trust; or a student serving on an official university committee, such as the Honor Council, Student Conduct Council, or a 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.
  - Disclosure to parents if the student is a dependent for tax purposes.
  - Disclosure to appropriate individuals (e.g., parents/guardians, spouses, housing staff, health care personnel, police, etc.) where disclosure is in connection with a health or safety emergency and knowledge of such information is necessary to protect the health or safety of the student or other individuals.
  - Disclosure to a parent or legal guardian of a student, information regarding the student's violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance if the university has determined that the student has committed a disciplinary violation with respect to the use or possession and the student is under the age of twenty-one at the time of the disclosure to the parent/guardian.