



Policy Name:	Family Educational Rights and Privacy Act
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Approving Authority:	Northwest Leadership Team
Responsible Office:	Registrar
Category:	Academics and Enrollment

### **Purpose**

To outline the federal law on educational rights and privacy.

### **Policy**

#### **What You Should Know About FERPA (Family Educational Rights and Privacy Act) as a Student at Northwest Missouri State University**

The Family Educational Rights and Privacy Act of 1974, as amended (commonly known as the Buckley Amendment), is a federal law which provides that colleges and universities will maintain the confidentiality of student education records. Basically, the law says that no one outside the institution shall have access to your education records nor will the institution disclose any information from those records without your written consent. There are exceptions, of course, as noted below.

Northwest Missouri State University complies with FERPA, which also gives you certain rights with respect to your education records. They are:

#### **The right to inspect and review your education records within 45 days of the day the University receives a request for access.**

Education records are defined as records related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution, if certain conditions are met. Education records do not include sole possession records, law enforcement unit records, employment records, medical records, or post-attendance records. Students should submit to the Registrar, the Vice President for Student Affairs, or other appropriate official, written requests that identify the records(s) they wish to inspect. The University official will make arrangements for access and notify the student when and 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 request the amendment of your education records that you believe are inaccurate or misleading.**

Students may ask the University to amend a record that they believe is inaccurate, misleading, or otherwise in violation of the student's privacy rights. They should write the University official responsible for the records, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or otherwise in violation of the student's privacy rights.

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 procedures will be provided to the student when notified of the right to a hearing. This procedure, however, may not be used to seek a change in grades. Should the request be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. When disclosed to an authorized party, the record will always include the student's statement and notice of the board's decision, as long as the student's record is maintained by the University.

**The right to consent to disclosures of personally identifiable information contained in your 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, professional, supervisory, academic, or support staff position (including law enforcement personnel and health staff); a person serving on the Board of Regents; 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 person or company with whom the University has contracted (such as an attorney, auditor, or collection agent). A contracted person or company is considered a school official provided that the outside party performs: a service or function for which the institution would otherwise use employees; is under the direct control of the agency or institution regarding the maintenance and use of the records and is subject to FERPA's rules on redisclosure of personally identifiable information. 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.

Another exception permits information from a student's educational record to be disclosed to protect health or safety of students or other persons. Other exceptions include information released to officials of other schools where the student is seeking admission, federal or state educational authorities, financial assistance officials in connection with the receipt of financial assistance, in compliance with a judicial order or other lawfully issued subpoena, and accrediting agencies.

**The right to file a complaint with the U.S. Department of Education concerning alleged failures by Northwest Missouri State University to comply with the requirements of FERPA. The office that administers FERPA is:**

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, DC 20202-4605

You may request information concerning your educational records from:

- Academic Records: Office of the Registrar, Administration Building
- Advisement Records: Academic Departments and/or Office of the Registrar
- Alumni Records: Office of University Advancement, Alumni House
- Disciplinary Records: Office of the Vice President for Student Affairs, J.W. Jones Student Union
- Financial Records: Bursar/Cashiering Office, Administration Building
- Financial Assistance Records: Office of Scholarships and Financial Assistance, Administration Building
- Housing Records: Residential Life Office, J.W. Jones Student Union
- Library Records: B.D. Owens Library
- Medical Records: University Wellness Services
- Placement Records: Office of Career Services, Administration Building
- Security Records: University Police Department, Support Services Building
- Student Teaching Records: Educational Field Experiences Office, Brown Education Hall
- Teacher Education Records: Teacher Education Student Services Office, Administration Building

Certain information about the currently enrolled student--name, age, address, telephone, email address, place and date of birth, major, grade level, enrollment status, student identification number, photograph, participation in activities and sports, weight and height of athletes, dates of attendance, degrees and awards received, the most recent educational institution attended--is considered "directory information" and is generally available for public release including photographic, video or electronic images. If you do not want this information released, you should file a request for confidentiality with the Office of the Registrar within 10 days of the beginning of the term. The University cannot assume any responsibility to contact the student for any subsequent permission to release information and will assume no liability for honoring the student's request to restrict disclosure of any directory information. Students may not opt out of the disclosure of his or her name, institutional email address, or electronic identifier in the student's classroom. The University reserves the right to exercise its discretion under FERPA to limit the disclosure of directory information to specific parties, for specific purposes or both. The University is obligated to provide some of the items classified above as directory information to military recruiters upon request unless a student has filed the request for confidentiality with the Office of the Registrar as prescribed above formally requesting the University to withhold directory information from all third parties.

At the postsecondary level, parents have no inherent rights to inspect a student's education records. The right to inspect is limited solely to the student. Records can be released to parents only under the following circumstances:

- through a written consent of the student,
- in compliance with a valid subpoena, or
- by producing a copy of the most recent Federal Income Tax form showing the student was claimed as a dependent.

Another exception added in the 1998 Reauthorization of the Higher Education Act provides that institutions may notify a parent of legal guardian regarding any violation of law or of an institutional rule or policy governing the use or possession of alcohol or a controlled substance, if the institution has determined that the student committed a disciplinary violation with respect to such use or possession and the student is under the age of 21 at the time of both the violation and the disclosure.

Effective Fall 2007, students can use an online procedure to authorize release of information to third parties and allow access to specific individuals. Authorization is an option on the Student tab on CatPAWS.

If you are a student employee of the University, you may have access to confidential records. Their confidentiality, use, and release are governed by FERPA. In general, all student information must be treated as confidential. Any questions about information release should be referred to your supervisor.