

# The Family Educational Rights and Privacy Act

## Students' Rights

The Family Educational Rights and Privacy Act of 1974, as Amended (FERPA) affords Alfred University students certain rights with respect to their education records. These rights are:

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 registrar, dean, division chair, or other appropriate official, written requests that identify the record(s) they wish 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 University official to whom the request was submitted does not maintain the records, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of those education records believed by the student to be inaccurate or misleading.

Students should write to the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is believed to be inaccurate or misleading. If the University official responsible for the record 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. In the same notification, the University will also advise the student of procedures for a hearing. Insofar as possible, the services of the University Ombudsman and the members of the Ombudsman's Student Grievance Committee will be used in these instances.
3. The right to consent to disclosures of personally identifiable information contained in their education records, except to the extent that FERPA authorizes disclosure without consent. Disclosure without consent may be made as follows:
  - To school officials with legitimate educational interest. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including Security and Health Center personnel); a person or company with whom the University has contracted (such as an attorney, auditor, or a collection agent and, specifically, the National Student Clearinghouse and, for those students purchasing health insurance through the University, Academic Risk Management); a person serving on the Board of Trustees; or a student serving on an official University committee charged with a task that involves review of education records, or assisting another school official in performing his or her tasks. A school official has legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
  - To parents of dependent students.
  - In connection with financial aid.
  - To Federal State, and local authorities in connection with an audit or evaluation of compliance with education programs.
  - To organizations conducting studies for or on behalf of educational institutions.
  - To comply with a judicial order or subpoena. (In most cases, the University must make reasonable effort to notify a student or former student in advance of compliance.)
  - In connection with a health or safety emergency.
  - To an alleged victim of a crime of violence, the University may release the results of a related disciplinary hearing.
  - To the student.
  - To the public, at the discretion of the University, those portions of education records defined as "Directory Information". Note, however, that students may request that the University withhold Directory Information.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Alfred University to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

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

# The Family Educational Rights and Privacy Act (continued)

## Policies and Definitions

### Education Records

"Education records" are defined as those records, files, documents and other materials, which contain information directly related to the student from the first day of attendance at the University until graduation or withdrawal. An "eligible student" (that is, one who may request a review of his/her records) is defined as one who has attained 18 years of age or is attending a postsecondary institution. Former college students are permitted to have the same access to their records as those currently enrolled.

At Alfred University, students' records include the academic transcript and the cumulative academic file found in the Student Service Center as well as academic files maintained in the offices of the academic deans, and in many instances, by academic advisors. Student folders are also retained in the Student Affairs Office in Carnegie Hall as are disciplinary records, if any exist. Additionally, records or files for some or all students will be found in the Financial Aid Office, the Business Office, Career Development Center and the Health Center. Appropriate administrative officers and staff, as well as appropriate academic deans, chairpersons and faculty advisors have access to these files.

The Privacy Act does not give students the right to see personal notes of teachers or administrators provided that those notes are not available to any third party. These personal notes are not considered to be part of the "education record". The records of physicians or psychologists or other professionals or paraprofessionals who assist in the treatment of students are not available to students, although those records can be reviewed by a physician or other professional of the student's choice. Students can gain access to their parents' financial aid forms only if their parents sign a waiver allowing them such access. A student preparing a placement file will be permitted the option of requesting references which are available for his/her inspection or (by waiving his/her rights to see certain letters) those that are confidential. Students are also allowed to waive their rights to see certain other documents, including letters of recommendation for admission to graduate or professional schools or receipts of awards.

### Directory Information

The release of "directory information" without a student's consent is permitted, unless the student has placed restrictions on such release. The University notifies students each year of their right to restrict the release of directory information. At Alfred University directory information is defined to include information such as the student's name, local and home address and telephone number, e-mail address, photograph, date and place of birth, major field of study, class year, level of enrollment (full or part-time) and name, home address and telephone number of parents. Also included are participation in officially recognized activities and sports, weight and height of members of athletic teams, receipts of scholarships, honors and awards, inclusion in Dean's lists and graduation lists, dates of attendance and the most recent previous education agency or institution attended by the student. Other similar directory data elements may be introduced from time to time.

Though permitted under FERPA, Alfred University does not, as a matter of policy, release name, address, and telephone number lists of students to any person or organization outside of the University community. There are two exceptions: 1) as required by separate federal legislation known as "the Solomon Amendment", such lists are provided to military recruiters; and 2) a similar list is provided to the Alfred Police Department in the interest of public safety. The University does, as a matter of policy, routinely release name, address and telephone number lists within the University community to student groups and organizations. **Please note:** When name and address lists are released to military recruiters, to Alfred Police, or when released within the University community to student groups and organizations, students who have placed restrictions on the release of directory information are **never** included in any of these lists.

### Review and Challenge of Education Records

Any eligible student who wishes to inspect and review an education record should make such a request to the administrative officer in the specific office where that record is maintained. The University must respond to the request not later than 45 days from the date of the request. Normally, access will be possible without delay. Records will not be released from University files for removal for inspection elsewhere. Copies may be made of most records at prevailing University rates.

Any student may request a hearing to challenge the content of any record and may seek the correction or deletion of any entry deemed inaccurate, misleading, inappropriate, or otherwise in violation of the privacy or other rights of students. At Alfred University any question about the accuracy of student records should first be brought to the attention of the officer of the University responsible for maintaining the file. An attempt will be made to settle such a dispute through informal meetings and discussions. If this is unsatisfactory or unproductive, a hearing will be held and a decision rendered by a University official with no personal stake in the outcome. Insofar as is possible, the services of the University Ombudsman and the members of the Ombudsman's Student Grievance Committee will be utilized in these instances.