

Notification of Rights Under The Family Educational Rights and Privacy Act (FERPA)

What is FERPA?

The Family Educational Rights Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. An “eligible student” under FERPA is a student who is 18 years of age or older who attends a postsecondary institution.

What are my rights as a student under FERPA?

Your rights as a student includes the following:

- The right to inspect and review the student’s education records within 45 days after the day Ferris State University receives a request for access. A student should submit to the Registrar, Dean, Head of academic department or other appropriate official a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the school does not maintain the records official to who 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 the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask the school to amend a record should write the school 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 school decides not to amend the record as requested, the school 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.
- The right to provide written consent before the university discloses personally identifiable information from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

Personally Identifiable Information as defined for Ferris State University includes but is not limited to:

Academic Status
Campus Wide ID
Date of Birth
Email Address
Gender/Race

Grades/GPA
Nationality
Photograph
Residency Status
Student's Class Schedule
Student Social Security Number
Test Scores
UI Code.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Ferris State University 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 Avenue, SW
Washington, DC 20202-5901*

What types of information can the University disclose and to whom?

Ferris State University may disclose directory level information regarding the student without prior written consent.

Directory Level Information for Ferris State University is defined as:

Academic College
Academic Program/Major
Addresses
Admit Status (e.g. accepted)
Athletic Participation
Class level (e.g., Freshmen)
Dates of Attendance
Degrees/Honors/Awards Received
Enrollment Status (Full/ Part-time)
Name
Phone
Previous School attended

- The school discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate education interest. 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 as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, collection agent, contract employee, or a clinical/internship facility); 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. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll so long as the disclosure is for purposes related to the student's enrollment or transfer.

• FERPA permits the disclosure of personally identifiable information from students' education records without the consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory level information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose personally identifiable information from the education records without obtaining prior written consent of the student:

- To other school officials, including teachers, within Ferris State University who are determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions provided that the conditions are listed in §99.31 (a) (I)(i)(B) – (a)(I)(i)(B)(2) are met. (§99.31 (a)(I))
- To school officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34 (§99.31(a)(2))
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local education authorities such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35 in connection with an audit or evaluation of Federal – or State-supported education programs or for requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf (§99.31(a)(3) and §99.35)
- In connection with financial aid for which the student has applied or which the student has received if the information is necessary to determine eligibility for the aid, determine the amount of aid, determine the conditions of aid, or enforce the terms and conditions of aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of the school, in order to: (a) develop, validate or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions (§99.31(a)(7))
- To parents of eligible student if the student is a dependent for IRS tax purposes. (§99.31 (a) (8))
- To comply with a judicial order or lawfully issued subpoena (§99.31 (a) (9))

- To appropriate officials in connection with a health or safety emergency subject to §99.36 (§99.31 (a) (10))
- Information the school has designated as director information under §99.37 (§99.31 (a) (II))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the findings. (§99.31 (a) (13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31 (a) (14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or any rule of policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31 (a) (15))
- The disclosure concerns sex offenders and other individuals required to register under section 17010 of the Violent Crime Control and Law Enforcement Act of 1994.
- To any third party designated by a Federal or State authority to evaluate a federal or – state supported education program. They may also allow access to personally identifiable information to researchers performing certain types of studies. Federal and State authorities must obtain certain use-restrictions and data security promises from the entities that they authorize to receive the information, but need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State authorities , may collect, compile, permanently retain and share without consent, and they may track participation in education and other programs by linking personally identifiable information with other information they obtain from other Federal or State data sources.