



Guide to Family Educational Rights and Privacy Act of 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974 is a federal law aimed at protecting the privacy of student education records. FERPA provides students the right to review, amend and limit the disclosure of their education records. The purpose of the legislation is to ensure the privacy and accuracy of students' education records. FERPA applies to educational institutions that receive funding from any program administered by the U.S. Department of Education.

Student Rights

FERPA provides specific rights for students. A student's FERPA rights begin as soon as the student has paid all expenses and begun attending classes. These rights are as follows:

1. Students may review and inspect their educational records within 45 days from the day EMU receives a student's request. Students should submit to the university registrar a written request that identifies the record(s) they wish to inspect.
2. Students may request to amend a record that they believe is inaccurate or misleading. If the decision is made not to amend the record as requested, EMU will notify the student of the decision and inform the student of his or her right to a hearing regarding the request for amendment.
3. Students may control disclosure of certain portions of their educational records. One exception is disclosure to school officials who need to review an educational record to fulfill his or her professional responsibility.
4. Students may file a complaint with the U.S. Department of Education concerning alleged failures by EMU to comply with the requirements of FERPA.

Education Records

Education records are records directly related to a student and maintained by an educational institution or by a party acting for the agency or institution. Education records include but are not limited to:

- Grades / transcripts
- Student schedules
- Exams, papers, theses, etc.
- Student email
- Advising records
- Directory information

Directory Information

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

- Student's name
- Address (permanent and local)
- Telephone listing
- Email address
- Photograph
- Date and place of birth
- Major field of study
- Grade level
- Enrollment status (e.g. undergraduate or graduate, full-time or part-time)
- Dates of attendance
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- Most recent educational agency or institution attended

EMU reserves the right to disclose directory information unless the student wishes to withhold the information. Students wishing to withhold directory information must file a formal request in writing with the university registrar. EMU will not disclose any other information without written consent from the student.

Not Included

Education records do not include:

- Sole possession records or private notes held by school officials that are not accessible or released to other personnel

- Law enforcement or campus security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit
- Records relating to individuals who are employed by EMU (unless contingent upon attendance)
- Records relating to treatment provide by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional and disclosed only to individuals providing treatment
- Records of an institution that contain information about an individual obtained only after that person is no longer a student at that institution (e.g. alumni records)
- Financial information submitted by parents
- Education records containing information about more than one student; however, in such cases, the institution must permit access to that part of the record which pertains only to the inquiring student.

Disclosure of Information

Anyone has the right to request directory information as long as the student has not chosen to withhold the information. Under FERPA, EMU may release directory information to a third party but is **not** compelled to do so.

Parents

Under FERPA, parents have no intrinsic rights to information contained in their child's education records. Parents have access only to records granted by their child. This means that parents cannot request grades, the academic transcript, or a class schedule unless the student signs a release indicating that they want to release the information or unless the student is the parent's dependent.

Faculty and Staff

Information other than directory information in a student's educational record is confidential and may be disclosed **only** to EMU faculty and staff members whose normal job duties require such access, such as the university registrar or other administrators of the university.

Faculty and staff may only release confidential information to a third party with written permission from the student.

Emergency Situations

If information from a student's education record is needed to resolve a crisis or emergency situation, EMU may release that information if it determines that the information is necessary to protect the health or safety of the student or other individuals.