

Notification of Student Rights under FERPA

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

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.

Students should submit to the registrar, vice president of academic affairs, associate dean of enrollment management, academic department 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 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.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask Westfield State University to amend a record that they believe is inaccurate or misleading. They 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 inaccurate or misleading. 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.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Unless a student specifically requests in writing that his/her prior consent be obtained, an educational institution may make public "Directory Information" about a student, which at WSU includes:

- student's name
- campus address
- campus telephone listing
- home address
- home telephone listing
- date and place of birth
- school or college
- major field of study
- photograph
- participation in officially recognized activities and sports
- weight and height of member of athletic teams
- dates of attendance
- degrees and awards received
- campus e-mail
- enrollment status (full time or part time)
- most recent previous educational agency or institution attended by the student.

A request made by students to suppress from public distribution the above mentioned information is to be made in writing and submitted to the Office of the Registrar. The request will remain in effect until the student notifies the Office of the Registrar, in writing, of their decision to reverse their original request to suppress.

As this law is interpreted at Westfield State University, the University may not release information about a student's academic performance or any other aspect of a student's University life to anyone, including the student's parents, without the written authorization of the student. If a student is declared as a dependent on a parent's Federal Income Tax Form, the parent has a right to this information. It is up to the parent to establish the dependent status of the student, or to the student to provide written authorization to the University to release such information to the parent. Other exceptions to FERPA are provided by law and are published in the Student Handbook.

Westfield State University will disclose information from a student's education records only with the written consent of the student, except:

- a. To teacher and school officials who have a legitimate educational interest in the records. A school official is:
 - i. A person employed by the University in an administrative, supervisory, academic or research, or support staff position,
 - ii. A person appointed to the Board of Trustees, or
 - iii. A person/agency employed by or under contract to the University to perform an institutional service or function for which the University would otherwise use employees.
- b. A teacher or school official has a legitimate educational interest if the official is:
 - i. Performing a task that is specified in his or her position description or by a contract agreement,
 - ii. Performing a task related to a student's education,
 - iii. Performing a task related to the discipline of a student, or
 - iv. Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid;
- c. To teachers and officials of another school, upon request, in which a student seeks or intends to enroll;
- d. To certain officials of the U. S. Department of Education, the Comptroller General, the Attorney General of the United States, and state and local educational authorities, in connection with certain state or federally supported education programs;
- e. In connection with a student's request for or receipt of financial aid, as necessary, to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;
- f. If required by a state law requiring disclosure that was adopted before November 19, 1974;
- g. To organizations or other outside researchers conducting certain studies for or on behalf of the University;
- h. To accrediting organizations to carry out their functions;
- i. To parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1986.
- j. To comply with a judicial order, lawfully issued subpoena, and/or applicable sections of the US Patriot Act.
- k. To appropriate parties in a health or safety emergency;
- l. In connection with public information provided to the institution concerning registered sex offenders;
- m. To the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. This disclosure may only include the final results of the disciplinary proceeding conducted by the university. The university may disclose the results of the disciplinary proceeding, regardless of whether the university concluded a violation was committed.
- n. The university may disclose only the final results of a disciplinary proceeding at the university if the student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and the student has been found responsible for a violation of the university policies. The university may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student.
- o. Notification to the parent or legal guardian of students under twenty-one (21) years of age each time they have been found responsible for University alcohol and/or other drug policy violations. The University shall exercise discretion not to notify the parents/guardian based on documented evidence of an abusive family situation.
- p. If the university initiates legal action against a parent or student or if the university is the subject of legal action, the university may disclose to the court the student's educational records that are relevant to proceed with legal action as either the plaintiff or defendant.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Westfield 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
600 Independence Avenue, SW
Washington, DC 20202-4605

Further information on the Family Education Rights and Privacy Act of 1974 may be obtained from the Office of the Registrar or the Dean of Students. The full University policy may be found in the *Undergraduate Catalog/Student Handbook* under "Student Record and Privacy Regulations."