

Right of Privacy – Personal Information

Summary/Purpose: To make students aware of their rights of privacy with respect to personal information.

Students at The University of Mississippi have the right of privacy with respect to personal information.

The Family Educational Rights and Privacy Act of 1974 (FERPA or the Buckley Amendment) is a federal law that governs access to students' educational records, which are records that contain information directly related to a student that are maintained as official working files by the University. Under FERPA, students have the right to gain access to their educational records, and such access includes the right to inspect and review the records, the right to obtain copies of the records (a copying fee may be charged), and the right to challenge or supplement information on file. Public or "directory" information about a student that may be released to anyone upon request includes the student's name, address, email address, telephone listing, academic major, dates of attendance, awards received, participation in officially recognized activities and sports, and weight and height of a member of an athletic team. Students may request that the University not release directory information by completing a FERPA block form in the University's Registrar Office.

Pursuant to FERPA, once a student reaches 18 or attends a postsecondary institution, parents no longer have access to their children's educational records, unless the student is claimed as a dependent as defined by Section 152 of the Internal Revenue Code of 1986 or the student provides the University with written consent to allow such disclosure. The only exception to this rule is in the case of violations of the University's alcohol and drug policies by students under age 21. In such cases, information regarding the violation may be released to parents, regardless of whether the student is considered a dependent or independent student.

In general, the University will not release information contained in a student's educational records to a third party without written consent of the student. Prior written consent from the student is not required, however, under the following circumstances:

- If it is directory information and the student has not requested that such information be withheld;
- To the parents of a student classified as dependent under the Internal Revenue Code;
- To the parents of a student who violated the University's alcohol or drug policies, if the student is under age 21;
- To University officials who have a legitimate educational interest;
- To officials at another institution in which the student seeks to enroll;
- In connection with a health or safety emergency if necessary to protect the student or others;
- To financial aid lenders checking enrollment status for loan purposes;
- To authorized representatives of the:

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- Secretary of the United States Department of Education;
- Office of the United States Comptroller General;
- State and Local Education authorities as part of an audit or program review;
- In response to a court order and/or subpoena after reasonable effort to notify eligible student (unless ordered not to contact the student by the Court); or
- To an alleged victim of any crime of violence or non-forcible sex offense, the final results of the University judicial proceeding regarding such an alleged offense.