

Westfield State University - Administrative Procedure

Procedure Number: ADM007 **Title:** Student Records and FERPA Compliance **Effective Date:** 2023-09-01

1.0 Purpose and Overview

This document establishes the official procedures for the management, access, and protection of student education records at Westfield State University. It is designed to ensure full compliance with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended (20 U.S.C. § 1232g; 34 CFR Part 99), a federal law that affords students certain rights with respect to their education records. These procedures are a testament to the University's commitment to protecting student privacy while maintaining the integrity and accuracy of academic and administrative records. All members of the University community who have access to student records are required to adhere to these procedures.

The purpose of this procedure is to:

- Ensure the privacy and confidentiality of student education records.
- Define what constitutes an “education record” and “directory information.”
- Establish procedures for students to inspect, review, and request amendments to their education records.
- Specify the conditions under which the University may disclose information from education records.
- Provide a process for students to file complaints concerning alleged failures by the University to comply with the requirements of FERPA.

2.0 Scope

This procedure applies to all Westfield State University faculty, staff, administrators, and any other individuals who have access to student education records. It also applies to all current and former students of the University.

3.0 Definitions

- **Education Record:** Any record (in handwriting, print, tapes, film, electronic, or other media) maintained by the University or an agent of the University that is directly related to a student. This includes, but is not limited to, academic records, financial aid records, and disciplinary records.
- **Directory Information:** Information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. At Westfield State University, directory information includes:
 - Student's name
 - Major field of study
 - Dates of attendance
 - Enrollment status (e.g., undergraduate or graduate, full-time or part-time)
 - Degrees, honors, and awards received
- **FERPA:** The Family Educational Rights and Privacy Act of 1974, the federal law that protects the privacy of student education records.
- **School Official:** A person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official can also include a volunteer or contractor outside of the University who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records.
- **Legitimate Educational Interest:** The need for a school official to review an education record in order to fulfill their professional responsibilities for the University.

4.0 Procedures

4.1 Student Rights Under FERPA

Westfield State University students have the following rights under FERPA:

1. **The right to inspect and review their education records.** Students must submit a formal written request to the Office of the University Registrar, identifying the specific record(s) they wish to inspect. The Registrar's Office will make arrangements for access and notify the student of the time and place where the records may be inspected. The University will comply with the request within a reasonable period, not to exceed 45 days from the receipt of the request. The University is not required to provide copies of records unless, for reasons such as great distance, it is impossible for students to inspect the records in person.
2. **The right to request an amendment of their education records** that they believe are inaccurate, misleading, or otherwise in violation of their privacy rights. 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 inaccurate or misleading. If the University decides not to amend the record as requested, the University 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.
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.
4. **The right to file a complaint** with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

4.2 Disclosure of Education Records

Westfield State University will not disclose personally identifiable information from a student's education records without the student's prior written consent, except as permitted by FERPA. Exceptions include, but are not limited to:

- Disclosure to school officials with legitimate educational interests.

- Disclosure to other schools to which a student is transferring.
- Disclosure to specified officials for audit or evaluation purposes.
- Disclosure in connection with financial aid for which the student has applied or which the student has received.
- Disclosure to organizations conducting studies for, or on behalf of, the school.
- Disclosure to accrediting organizations.
- Disclosure to comply with a judicial order or lawfully issued subpoena.
- Disclosure in connection with a health or safety emergency.

4.3 Complaint Procedures

Students who believe that their rights under FERPA have been violated may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education. Complaints must be submitted in writing and must be timely (generally within 180 days of the alleged violation).

Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202-8520

4.4 Directory Information

Westfield State University may disclose directory information without a student's consent. However, students have the right to refuse to let the University designate any or all of their information as directory information. To do so, students must complete the "Request to Prevent Disclosure of Directory Information" form, available from the Registrar's Office, by the end of the second week of each semester.

5.0 Required Forms and Systems

- **Request to Inspect and Review Education Records:** Available at the Registrar's Office.
- **Request to Amend Education Record:** Submitted in writing to the appropriate University official.
- **Request to Prevent Disclosure of Directory Information:** Available at the Registrar's Office.

6.0 Contact Information

For questions regarding this procedure or FERPA, please contact:

Office of the University Registrar Westfield State University 123 University Drive
Westfield, XX 12345 Phone: (123) 456-7890 Email: registrar@westfield.edu

7.0 Frequently Asked Questions (FAQ)

Q: Can my parents access my grades? A: Under FERPA, the rights to your education records transfer to you when you turn 18 or enroll in a postsecondary institution. Therefore, parents may only access their student's grades with the student's explicit written consent. An exception exists if a parent can establish the student's dependency for federal tax purposes by providing a copy of their most recent federal income tax return.

Q: What constitutes a 'legitimate educational interest'? A: A 'legitimate educational interest' is the need for a school official to review a student's education record to fulfill their professional responsibilities. This is determined on a case-by-case basis and is not a blanket authorization for all officials to access all student records. For example, an academic advisor would have a legitimate educational interest in accessing a student's grades to provide academic counseling, but not their disciplinary records.

Q: What happens if I don't opt-out of directory information? A: If you do not submit the 'Request to Prevent Disclosure of Directory Information' form, the University may release your directory information to third parties without your prior consent. This could include external organizations, other students, or the general public.

Q: What is the difference between an education record and a directory? A: An education record is any record directly related to a student and maintained by the University. Directory information is a subset of information from an education record that the University may release without a student's consent, unless the student has requested otherwise.

Q: How do I stop the University from releasing my directory information? A: You must complete the "Request to Prevent Disclosure of Directory Information" form at the Registrar's Office by the deadline each semester.

8.0 Revision History

Version	Date	Author	Summary of Changes
1.0	2023-09-01	Registrar’s Office	Initial Document
1.1	2024-03-15	Registrar’s Office	Added Complaint Procedures section and expanded FAQ. Clarified definitions and procedures.