

# Student Privacy

## Annual Notice of Student Rights Under the Family Educational Rights and Privacy Act (FERPA)

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

1. The right to inspect and review the student's education records, with some exceptions under the Act, within 45 days of the day the university receives a request for access. Students should submit to the Office of the Registrar 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 should write 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. A sample form, which may be used in making this request, is contained in the appendix to UA Systemwide Policies and Procedures 515.1 (<http://www.uasys.edu/policies/ua-system-policies/>).

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 and is also contained in UA Systemwide Policies and Procedures 515.1 (<http://www.uasys.edu/policies/ua-system-policies/>).

3. The right to withhold consent of disclosure of directory information, defined as the following information: the student's name; date of birth; address; telephone number; email address; major field of study; classification by year; number of hours in which enrolled and number completed; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance including withdrawal dates; degrees, honors, and awards received, including type and date granted; and photograph.

This information will be subject to public disclosure unless the student restricts such information through the appropriate settings in UAConnect, the student information system, or informs the Office of the Registrar in writing that he or she does not want this information designated as directory information.

4. 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.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. 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 (such as an attorney, auditor, or collection agent); 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 educational record to fulfill his or her professional responsibility. Upon request, the university also discloses education records without consent to officials for another school in which a student seeks or intends to enroll.

Postsecondary institutions may also disclose personally identifiable information from education records, without consent, to appropriate parties, including parents of an eligible student, in connection with a health or safety emergency. Under this provision, colleges and universities may notify parents when there is a health or safety emergency involving their son or daughter, even if the parents do not claim the student as a dependent.

There are several other exceptions to FERPA's prohibition against non-consensual disclosure of personally identifiable information from education records, some of which are briefly mentioned below. Under certain conditions (specified in the FERPA regulations), a school may non-consensually disclose personally identifiable information from education records:

- to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs;
  - to the National Student Clearinghouse for enrollment and degree reporting;
  - to organizations conducting studies for or on behalf of the school making the disclosure for the purposes of administering predictive tests, administering student aid programs, or improving instruction;
  - to 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;
  - to comply with a judicial order or a lawfully issued subpoena;
  - to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing with respect to the alleged crime; and
  - to any third party the final results of a disciplinary proceeding related to a crime of violence or non-forcible sex offense if the student who is the alleged perpetrator is found to have violated the school's rules or policies. The disclosure of the final results only includes: the name of the alleged perpetrator, the violation committed, and any sanction imposed against the alleged perpetrator. The disclosure must not include the name of any other student, including a victim or witness, without the written consent of that other student.
5. 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. The name and address of the office that administers FERPA is as follows:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington DC 20202-4605

6. UA System Policy and Procedure 515.1 (<http://www.uasys.edu/policies/ua-system-policies/>) serves as a supplement to the campus FERPA policy.
7. FERPA applies to students at the University of Arkansas at the point of their enrollment into courses.

## **Photographic and Video Images**

The university is proud to publish and display photographic and video images of U of A students, their activities and accomplishments. Any student who does not wish to be represented in such photographic and video images by the university should choose to withhold photos on the FERPA option on the university's student information system.