

The Family Educational Rights and Privacy Act (FERPA)

NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Walsh University is covered by, and subscribes to, the Family Educational Rights and Privacy Act (FERPA) – informally known as the Buckley Amendment. Passed by the U.S. Congress, Public Law 93-380, as amended and effective November 19, 1974.

This law permits students the right of confidentiality and the right to inspect and review their educational record as maintained by the appropriate offices and agencies of the University. Also, it affords students the right to request that amendments be made to ensure that their records are accurate.

Copies of the Act and the Federal Regulations are available for examination in the University Library, the Office of the Registrar, or by accessing the Department of Education's FERPA Web site at www.ed.gov/offices/OM/fpc.html. FERPA information is published yearly in the University catalog and student handbook.

DEFINITIONS

Student is any person who attends or has attended Walsh University.

Educational Record is any record in handwriting, print, tape, microfilm, electronic file or other medium maintained by Walsh University which directly relates to a student.

The following exemptions are not part of the educational record or subject to this Act: 1) Personal records maintained by University staff/faculty if kept in the sole possession of that individual, and the information is not accessible or revealed to any other person — e.g., a faculty grade book; 2) Employment records not contingent on student's enrollment; 3) Law enforcement records that are created by a law enforcement agency for that purpose; 4) Medical and psychological records used solely for treatment; 5) Alumni records disclosing information about a student who is not considered "enrolled."

RIGHT TO INSPECT AND REVIEW EDUCATIONAL RECORDS

Students have the right to inspect and review their educational records within 45 days of the day the University receives a request for access.

PROCEDURE: A student should submit to the appropriate University official a written request that identifies the records to be inspected. Arrangements for access will be made by the University official, and notification will be given to the student of the day, time, and location where records will be inspected.

EXCEPTIONS: Students are granted the right to inspect and review all their educational records except for the following:

- 1) Information regarding other students;
- 2) Financial records of parents;
- 3) Confidential letters of recommendation, confidential letters or statements of recommendation for admission, employment, or honorary recognition put in education files before 1/1/75.

DISCLOSURE OF EDUCATIONAL RECORDS

Walsh University accords all rights under the Act to each student. Outside individuals or agencies will not have access to, nor will the University disclose any information from a student's educational record without the written consent of the student.

The University may, however, furnish information within the University's community serving in the educational interest of the student (i.e., faculty, administration, support staff, advisors, campus security, campus student service departments such as financial aid and housing).

Exceptions made to the disclosure policy are:

- 1) to University officials listed in the above paragraph;
- 2) to federal/state educational officials in connection with legislative requirements;
- 3) in connection with financial aid for which the student has applied;
- 4) to organizations conducting studies on behalf of the University;
- 5) to accrediting organizations; to the parents of dependent students (e.g., parent information listed on the FAFSA [Free Application for Federal Student Aid]);
- 6) to comply with a lawful judicial order or subpoena;
- 7) to appropriate individuals in health safety emergencies;
- 8) limited directory information.

DIRECTORY INFORMATION

Walsh University, in accordance with the Act, has designated the following information as "directory information." The University may release directory information to anyone without the student's consent unless the student requests otherwise in writing to the Office of the Registrar PRIOR to the first day of the academic semester or term in which the request is to become effective.

This will remain effective until removed by the student.

Information the University may release, unless the student wishes all information to be withheld, includes:

- 1) Name;
- 2) Address (local and home);
- 3) Telephone (local and home);
- 4) Major field of study;
- 5) Participation in officially recognized University activities and sports;
- 6) Weight and height of member of athletic teams;
- 7) Dates of attendance;
- 8) Enrollment status;
- 9) Degrees and awards received;
- 10) Most recent previous educational agency or institution attended.

The student has the right to consent to disclosures of personally identifiable information contained in the educational records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to University officials with legitimate educational interests. Personally identifiable information is information that, if disclosed, would make a student's identity easily traceable — e.g., Social Security number.

AMENDMENT OF EDUCATIONAL RECORDS

Under the Act, students have the right to request an amendment to educational records they believe are inaccurate, misleading, or in violation of their privacy rights under this Act.

Procedures are as follows:

- Students must submit a written request to the appropriate University official to amend a record. In doing so, the student should clearly identify the part of the record to be amended, and clearly state why it is inaccurate or misleading.
- If the University determines that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.
- If the University determines that it is not appropriate to change the record, the appropriate University official will notify the student of the decision. The student will be advised of his or her right to a hearing regarding the request for amendment. At that time, information regarding the hearing procedures will be provided to the student.

COMPLIANCE OFFICE

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Walsh 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
400 Maryland Avenue, SW
Washington, DC 20202-4605

NONDISCRIMINATORY POLICY

Walsh University admits students of any race, color, national and ethnic origin to all the rights, privileges, programs, and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

A SMOKE-FREE ENVIRONMENT

Effective Sept. 1, 1991, Walsh University became a "smoke-free environment." Smoking is prohibited in all University buildings, except in designated areas of the residence halls/apartments and the Brothers' living areas in LaMennais Hall.

CHANGE OF REGULATIONS

Walsh University reserves the right to modify degree requirements, courses, schedules, calendars, regulations, fees, student life policies and procedures, and changes as may be deemed beneficial to the efficient operation of the University. Such changes become effective as announced by the proper University authorities.