



# Access to Student Records Policy

NAME:	<b>Access to Student Records Policy</b>
ISSUING DEPT:	<b>Student Registration and Financial Services</b>
ISSUED DATE:	<b>March 2007</b>
REVISION DATE:	<b>May 15, 2018</b>
APPROVING AUTHORITY:	<b>President</b>
RELATED POLICY:	<b>None</b>

## **DEFINITION**

FERPA (the Family Educational Rights and Privacy Act) was enacted in 1974. It is a set of regulations that applies to institutions that receive funding from the Department of Education.

## **PURPOSE**

FERPA was written specifically to protect the interests of students and guarantees them the right to inspect and review their education records, the right to seek to amend education records, and the right to have some control over the disclosure of information from those education records.

## **REQUIREMENTS**

- a. Mansfield University regards all of its students, regardless of age, as emancipated. This means that the regulations apply to all of our students regardless of their age.
- b. An education record is defined as any record that directly identifies a student and is maintained by the institution or educational agency or by a party acting for the institution or educational agency. A key characteristic of education records is that they are shared by university employees who have a legitimate need to advise students, enter information into the record, or work with the data contained in the records. Education records can exist in any medium including the following: handwritten, typed, computer-generated, videotape, audiotape, film, microfilm, microfiche, e-mail, and so on.
- c. Mansfield University designates the following categories of student information as public or "Directory Information." Mansfield University may disclose such information at its discretion. While Mansfield University has the right to disclose this information, all necessary precautions are taken to protect the safety and well-being of our students. Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can, but is not required to be, disclosed to outside organizations without the student's written permission. Mansfield University is committed to maintaining the privacy of its students' records and therefore limits its release of Directory Information for official university purposes only. Mansfield University will not release Directory Information for solicitation purposes to third parties from outside the university. This includes outside vendors, businesses, and organizations unless the university has entered into a contract or agreement with the organization to supply specific services to the university or its students that requires the use of this information. While FERPA permits a university to release personally identifiable information designated as "Directory Information," the university is not required to release that information. It is university policy to review each request to release directory information and NOT to release directory information unless a clear case is made that it is in the best interests of the student. It is solely the purview of the university to determine the "best interest" of the student.

Directory Information may include the following: awards and honors (Dean's List), class

standing (e.g. sophomore), current enrollment, dates of attendance, degree(s) conferred (including dates), full -time or part-time status, major field(s) of study, name, hometown, picture of student, and past and present participation in officially recognized sports and activities, including fraternities and sororities, and physical factors of athletes (e.g. height, weight).

- d. As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which education records and personally identifiable information (PII) contained in such records-including Social Security Number, grades, or other private information - may be accessed without consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to education records and PII without consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education", such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to education records and PII without consent to researchers performing certain types of studies, in certain cases even when Mansfield University objects to or does not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without consent the PII from education records, and they may track participation in education and other programs by linking such PII to other personal information that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.
- e. Any student wishing to prevent the public disclosure of this information may request so by contacting the Student Registration and Financial Services Office, 224 South Hall prior to the close of the first week of classes of any given academic semester
- f. The Family Education Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:
  - i. 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, Dean, Department Chairperson, or other appropriate official, written requests that identify the record(s) they wish to inspect. The 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 official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
  - ii. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the University Registrar's Office to amend a record that they believe is inaccurate or misleading. They should write the 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.

- iii. 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 that permits disclosure without consent is disclosure to University officials with legitimate educational interests. A University 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 Council 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.
- iv. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Mansfield University of PA 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  
[http:// www2.ed.gov/policy/gen/guid/fpco/index.html](http://www2.ed.gov/policy/gen/guid/fpco/index.html)

## **ACCESS TO RECORDS**

- a. A University official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- b. Upon request, the University may disclose education records without consent to officials of another school in which a student intends to enroll.

## **DISTRIBUTION**

Copies of the University's policy governing the Family Education Rights and Privacy Act and Student Release of Information Forms are available at the Student Registration and Financial Services Office, 224 South Hall. Questions concerning FERPA should be referred to the Registrar.