

# Family Educational Rights and Privacy Act (FERPA) Policy

<p><b>Approved By:</b> Northeastern State University Policy Committee</p> <p><b>Responsible Official:</b> General Counsel bclifton@nsuok.edu</p> <p><b>History:</b> Adopted – July 5, 2006 Revised – November 29, 2018</p> <p><b>Forms:</b> Consent to Release Student Records</p>	<p><b>Related Policies:</b></p> <p><b>Additional References:</b> FERPA – General Information FERPA – FAQ’S for Faculty FERPA – FAQ’S for Parents FERPA – FAQ’S for Staff FERPA – FAQ’S for Students</p>
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## PURPOSE AND SCOPE

The Family Educational Rights and Privacy Act (FERPA) ([20 U.S.C. § 1232g](#); [34 CFR Part 99](#)) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Individuals enrolled at Northeastern State University have certain rights with respect to their education records as defined by FERPA. The following policies and procedures outline Northeastern State University’s commitment to managing and maintaining student records.

## POLICIES

It is the policy of Northeastern State University that current and former students and parents of students, where appropriate, have the right to review educational records maintained about them by the institution, except for material to which the student has waived right of access or for material specifically determined to be confidential by law. Students shall be informed of their rights each year.

Information contained in educational records is confidential but may be reviewed by “school officials” who have a “legitimate educational interest” in the student without prior consent of the student. “School official” is defined by the Department of Education as the following:

Person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff);

Person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, or collection agent);

Person serving on the Board of Trustees; and/or

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 a review of a student's record is necessary to fulfill the official's professional responsibilities to the University. School officials may have legitimate educational interests both in students who are currently enrolled and in those no longer enrolled.

Directory Information may be released without prior consent of the student unless the student formally requests that such information be kept confidential. Such requests for confidentiality of directory information remain in effect until revoked by the student and apply to all categories of directory information, i.e., students may not specify that only some of the items be kept confidential. Only identifiers that are acceptable under FERPA will be used to identify students whose records are released.

A student may be provided access to his or her own educational record.

A student may challenge the content of the educational record if such records are believed to be inaccurate, misleading, or in violation of the privacy or other rights of the student.

Requests from off-campus parties for information from educational records shall be handled through the University General Counsel.

NSU will use methods that are in compliance with FERPA to identify and authenticate the identity of students, parents, school officials, and other parties to whom personally identifiable information from education records is released.

If a significant threat to the health or safety of a student or other individual

is determined, university personnel may disclose information from education records to any person, including parents, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. University personnel must maintain a record of the significant threat that formed the rational basis for the disclosure.

## PROCEDURE

Each year, the University, through Student Affairs, shall publicly notify students of their right to review their own educational records, and students seeking access to their own educational records should submit their request in writing to the appropriate record's custodian/official office. Positive identification will be expected.

<b>Types</b>	<b>Location</b>	<b>Custodian</b>
Admissions and Academic Records	Admissions & Records CASE Building	Registrar
Health Records	Student Health Center	University Nurse
Student Life	Student Affairs	Vice President, Student Affairs
Housing Records	Housing Office, Leoser Center	Director of Housing
Financial Records	Business Affairs Office, A 124	Director of Business Affairs

The appropriate records custodian will satisfy himself or herself that the student is the student to whom the records pertain;

The appropriate records custodian will review the educational record file and remove any material to which the student does not have the right of access or may request that the student make an appointment to review the record, with such appointment being within the legal maximum period of forty-five (45) days. No reason for the delay needs to be given; and

The student shall review the record in the office under the supervision of the office staff, and under no circumstances shall the student remove or alter any part of the record.

"Directory information" consists of the following information and is subject to change provided the change is effective only at the subsequent year (i.e., fall term) and provided the change(s) is/are appropriately publicized.

- A. Student's name, mailing address, and telephone number
- B. Date of birth

- C. Classification and enrollment status
- D. Major field of study
- E. Dates of attendance at Northeastern State University
- F. Most recent previous school attended
- G. Degrees, honors and awards received
- H. Participation in officially recognized activities and sports
- I. Weight and height of athletic team members
- J. E-mail address assigned/provided by the institution or provided to the university by the student

Northeastern State University assumes consent for disclosure of directory information unless the student specifically requests the withholding of directory information. Students who want directory information kept confidential shall elect to withhold directory information through the goNSU student portal.

A student who wants information contained in their educational record shared with a 3rd party, shall make such request in writing utilizing the FERPA release form to the official responsible for maintaining the record. The request shall clearly identify what information is to be disclosed or shared and time frame for permission to share records.

When a student challenges the content of the educational record, the following steps will be used:

The student will submit a written request to the official responsible for maintaining the record, with such request specifying the content being challenged, the grounds for the challenge, and the exact action being sought;

Appeals will be conducted according to the [NSU grievance procedure](#).