



FERPA MODEL POLICY

FERPA: Notice of Student Rights with Respect to Education Records

Purpose

This notice establishes the University policy with respect to certain types of student records. This policy is designed to help students understand how to access their education records and, if they wish, how to prevent their disclosure to third parties.

Scope

This policy applies to all schools and divisions at Tufts University.

Policy Statement

The Family Educational Rights and Privacy Act of 1974 (“FERPA”) provides students certain rights with respect to their educational records. In general, these rights include:

- 1) *The right to inspect and review education records (with certain limited exceptions) within 45 days of the day Tufts receives a student’s request for access.* A student should submit any such request to the Registrar’s Office in writing, identifying the specific records that the student wishes 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.
- 2) *The right to request the amendment of education records if the student believes they are inaccurate.* Students should submit any such request to the Registrar’s Office in writing, clearly identifying the records that the student wants to have amended and specifying the reasons the student believes those records to be inaccurate. The Registrar’s Office will notify the student of the University’s decision whether to amend the student’s records. If the University decides not to amend the student’s records, the Registrar’s Office will inform the student of the right to a hearing regarding the student’s request for amendment.
- 3) *The right to require Tufts to obtain the student’s written consent before releasing personally identifiable information from the student’s education records unless an exception applies.*

Definitions

For purposes of this policy a **student** is defined as someone who is (or someone who has) officially matriculated at the University, and who attends (or has attended) classes at Tufts. This definition does not include prospective students or applicants.

Education records are records relating to a student that are maintained by the University or by a party acting on its behalf, with some exceptions.

The following records are **not** considered education records:

- Records created by a school official as a personal memory aid (such as notes of a private telephone conversation).

- Records of the Tufts University Police Department which are maintained separately and solely for law enforcement purposes.
- Most records created and maintained by a physician, psychiatrist, psychologist or other treatment purposes. Even though these records are not considered education records under FERPA, they may still be made available to students following completion of a HIPAA release form.
- Records pertaining to a former student other than those generated when that person was a student, such as alumni records.

Personally identifiable information includes a student's name, address or other information that would allow a student to be identified. FERPA generally prohibits the University from disclosing personally identifiable information from a student's education record without the student's consent unless the information has been designated as directory information or another exception applies.

Directory information consists of the following:

- Student's name
- Address (both local and permanent)
- Telephone number (local, cell and permanent)
- Date and place of birth
- Academic program (school, degree, major, minor)
- Enrollment status (dates of attendance, full-time/part-time status)
- Degrees, honors and awards received
- Participation in athletics and student activities
- Most recent educational institution attended
- E-mail address
- Photo

Privacy Blocks are available to students who wish to prevent the University from disclosing their directory information (in student directories and commencement programs, for example) by selecting the appropriate privacy settings through SIS.

For additional information about privacy blocks, please contact the Registrar's Office.

Release of Your Records to Third Parties

Personally identifiable information in your records, except for directory information as discussed above, may not be given to third parties without your written consent, with the following exceptions:

- To Tufts officials such as employees and members of faculty and trustee committees who have a need to know or who are required to work with your records to carry out their duties.
- To officials of another education institution in which you seek to enroll. If your record is transferred, however, you will be entitled, upon request, to a copy of such records. This

applies to other schools and colleges within the University and to institutions in which you may be cross-registered or enrolled at the University.

- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local authorities responsible in connection with an audit or evaluation of federal or state supported education programs.
- To an individual or organization required to be informed in connection with your application or receipt of financial aid.
- To state and local officials to whom information is specifically required to be reported by state laws enacted prior to November 19, 1974.
- To appropriate parties in a health or safety emergency if necessary to protect your health or safety or that of another.
- In compliance with a subpoena, or in response to other legal action involving the student and the University.
- When the information is a record of a campus disciplinary proceeding. For students under the age of 21, the University may also inform parents about violations of any federal, state, or local law, or any University rule or policy that governs the use or possession of alcohol or a controlled substance.

Any request or authorization to allow material from your files to be shown to third parties should include: (1) a specification of the records to be disclosed; (2) the purpose of the disclosure; and (3) the party or class of parties to whom disclosure may be made. For additional information about authorizing disclosures from your education records, please contact the Registrar's Office.

Please note that the University does not preserve students' education records in perpetuity. In fact, most records are not maintained for more than 7 years after a student's expected date of graduation.

Complaint Procedure

A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by Tufts to comply with the requirements of FERPA. A complaint must be submitted to the Department within 180 days of the date of the alleged violation or of the date that the student knew or reasonably should have known of the alleged violation. The name and address of the office that administers FERPA and accepts such complaints is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Compliance Training and Tracking

Not applicable.

Approval Entities

Office of University Counsel

Academic Council

Office of the President

Approval Date

May 2015

Effective Date

July 1, 2015

Executive Sponsor(s)

Mary R. Jeka, Senior Vice President and General Counsel

Responsible Office(s)

Office(s) of the Registrar

Revision

The University reserves the right to change this policy from time to time. Proposed changes will normally be developed by those responsible for the policy with appropriate stakeholders. The approval entities have sole authority to approve changes to this policy.

Review Cycle

Annually

Related Policies

Not applicable