

## IV. STUDENT RIGHTS & RESPONSIBILITIES

### FERPA

Mount St. Joseph University's (MSJ) Registrar's Office, in compliance with the Family Educational Rights and Privacy Act (FERPA), is responsible for monitoring access to and release of information from student education records. The information provided on these pages is provided as a tool to answer general questions; it is not intended to include all academic policies and procedures.

Faculty and staff with access to student education records are legally responsible for protecting the privacy of the student by using information only for legitimate educational purposes to instruct, advise, or otherwise assist students.

Unless your position involves the release of information and you have been trained in that function, any requests for disclosure of information, especially from outside MSJ, should be referred to the Registrar's Office.

Discussing a student's record with any person who does not have a legitimate educational interest (including, but not limited to parents, spouses, and employers) is a violation of FERPA. This pertains to all conversations and communications. **When in doubt, do not release information and contact the Registrar or the Vice President Compliance, Risk and Legal Affairs/General Counsel.**

### FREQUENTLY ASKED QUESTIONS

#### **What is FERPA?**

The Family Educational Rights and Privacy Act (FERPA) of 1974 is a Federal Law that helps protect the privacy of student education records. The Act provides students the right to inspect and review education records within 45 days of the day the University receives a request for access. The student also has the right to seek to amend those records and the right to limit disclosure of information from the records. The intent of the legislation is to protect the rights of students and to ensure the privacy and accuracy of education records. The Act applies to all institutions that are recipients of federal aid administered by the Secretary of Education.

#### **When do FERPA rights begin?**

FERPA governs and protects students' rights to their individual educational records. Students' FERPA rights begin at the age of 18 years or when they enroll in an institution of higher education, whichever is earlier.

#### **What is a student's education record?**

An education record is a record that is (a) directly related to a student and (b) maintained by an education institution/university.

#### **What is "Directory Information" at Mount St. Joseph University?**

Directory information is information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed. Mount St. Joseph University (MSJ) has identified the following as directory information and it may be released to those requesting it unless the student specifically requests otherwise by submitting written notification to the Registrar's Office and subsequently has a privacy block on his/her record:

- The student's name
- All addresses (local, home, email)

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- Telephone (home and cell)
- Date and place of birth
- Photograph
- Academic Advisor
- Student classification (year in school)
- Program of study: majors and minors
- Degrees and awards received (including honors)
- Dates of enrollment and enrollment status
- Weight and height of members of athletic teams
- Participation in officially recognized activities/sports
- Most recent previous educational agency or institution attended

Mount St. Joseph University will not disclose any other information without written consent from the student. Students have the right to refuse the disclosure of personally identifiable information, as well as directory information, subject to other overriding provisions of law. To withhold directory information, students must complete the **Request for Non-Disclosure of Directory Information** form located on myMount and submit to the Registrar's Office.

If a student has chosen to restrict the release of directory information, NO information can be released without further written permission of the student. Should someone inquire about an individual who has restricted the release of his/her directory information, the appropriate faculty/staff response is, "*I have no record of such an individual.*"

Students also have the right to rescind their decision to withhold directory information by written request. To rescind the non-disclosure of directory information, student must complete the **Request for Revocation of Non-Disclosure of Directory** information located on myMount and submit to the Registrar's Office.

#### **What information about students may be released to persons within the University?**

All other personally identifiable information in a student's educational record is confidential and may only be disclosed to University officials who have a legitimate need to know the information contained in the student's education record.

#### **What are the University's guidelines for determining who is a University official under FERPA?**

A school official is a

- person employed by the University in an administrative, supervisory, academic or research, or support staff position, including health or medical staff;
- person who is employed by the University Police Department;
- student serving on an official committee, such as a disciplinary or grievance committee, or who is assisting another University official in performing her or his tasks; or
- contractor, consultant, volunteer or other third parties provided that the outside party:
  - performs an institutional service which would otherwise be provided by employees of the University;
  - has been determined to meet the criteria set forth for being a "school official with a legitimate interest" in the education records;
  - is under the direct control of the University with respect to the use and maintenance of education records; and
  - uses education records only for authorized purposes and may not re-disclose personally identifiable information from education records to other parties, under third party has

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specific authorization from the University to do so and such use is otherwise permitted by FERPA.