

STUDENT RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review your education records within 45 days from the day the University receives a request for access.

If you would like to review your records you must submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) you wish to inspect. The University official will make arrangements for access and notify you of the time and place where your records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official will advise you of the correct official to whom the request should be addressed.

2. The right to request the amendment of your education records that you believe are inaccurate or misleading.

You may ask the University to amend a record that you believe is inaccurate or misleading. You must write the University official responsible for the record, clearly identify the part of the record that you want changed, and specify why it is inaccurate or misleading.

If the university decides not to amend the record as you requested, you will be notified of the decision and advised of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in your education records, except to the extent that FERPA authorizes disclosure without consent.

"Directory Information" is limited to: student's name, student ID number, address, telephone listing, electronic mail address, date and place of birth, photographs, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status (e.g. full-time or part-time; undergraduate or graduate), degrees, honors and awards received, and the most recent previous education agency or institution attended.

"Directory Information" may be released without the student's consent. Currently enrolled students may withhold disclosure of "Directory Information." To withhold disclosure, written notification must be received annually in the Records Office prior to October 1. Forms requesting the withholding of "Directory Information" are available in the Records Office. Niagara University assumes that failure on the part of any student to specifically request the withholding of categories of "Directory Information" indicates individual approval.

Disclosure is permitted without consent to school officials with legitimate educational interests. A school 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, collection agent or clearinghouse);
- a person serving on the board 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.

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

FERPA's health or safety emergency provision permits disclosure without consent if necessary to protect the health or safety of the student or other individuals. Disclosure without consent to officials of another school in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for the purpose related to the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-4605