

# APPENDIX B: THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA/BUCKLEY AMENDMENT)

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. This law states that a) a written institutional policy must be established and b) a statement of adopted procedures covering the privacy of students be made available. The university has taken the appropriate steps to comply with this law.

Towson University accords all the rights under the law to students who have matriculated at the university. Information may be released to parents who have established students' dependency as defined by the Internal Revenue Code of 1954, Section 152. The Office of the Registrar will review the parent's claim of dependency and contact the student prior to determining whether to release any academic information. Except as permitted under the Act, no one outside the institution will have access to any information from students' education records without their written consent. Those permitted access under the Act include personnel within the institution, officials of other institutions in which students seek to enroll, organizations providing financial aid, accrediting agencies, persons in compliance with a judicial order, and persons acting in an emergency situation to protect the health or safety of others.

Within the Towson University community, only those individuals acting in students' educational interest are allowed access to student education records. These include personnel in the offices of Admissions, Academic Advising, Registrar, Bursar, Financial Aid, and other academic personnel within the limitations of their need to know. The Registrar may grant access to education records for other legitimate reasons permitted under the Act.

The university may provide Directory Information in accordance with the provisions of the Act without the written consent of students. Directory Information includes student name, permanent address, Towson University email address, major field of study, dates of attendance, degrees and awards received, the most recent previous educational institution attended by students, class standing, participation in officially recognized activities and sports, and the weight and height of members of athletic teams. The Office of the Registrar will release Directory Information at its discretion and may release it over the telephone or in writing. Students may withhold Directory Information by notifying the Office of the Registrar in writing. If they no longer wish to have Directory information withheld, they must also notify the Office of the Registrar in writing.

The Act also provides students with the right to inspect and review information contained in their education records. The Registrar at Towson University has been designated to coordinate the inspection and review of student education records. Students wishing to review their education records must make written requests to the Registrar's Office. Records covered by the Act will be made available within 30 days of the request. Students may have copies made of their records at their expense with certain exceptions (e.g., copies of the original or source document that exists elsewhere or when students have an outstanding financial

obligation to the university). Education records do not necessarily include records of instructional, administrative, or educational personnel, which are the sole possession of the makers. Health records, employment records or alumni records will not be released to students but may be reviewed by them or by physicians of their choosing.

FERPA does not allow students to inspect and review the following: financial information submitted by their parents, confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review. Education records containing information about more than one student are restricted, and the institution will permit access only to that part of the records that pertains to the individual student. The institution will not permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975.

The university has established an appeal mechanism in accordance with the Act. Students who believe their education records contain inaccurate, misleading or unlawful information may discuss their problems informally with the registrar. If the Registrar agrees with the request, the appropriate records will be amended. If students' requests are denied, they will be notified by the registrar of the right to a formal hearing.

Requests for formal hearings must be made in writing to the vice president for Student Affairs who will inform students of the date, place and time of the hearing. Students may present evidence and may be assisted or represented at the hearings by counsel. The hearing panel that will adjudicate such challenges may include the provost, the vice president for Student Affairs, the dean of the Graduate School, the academic dean of students' colleges and university counsel, or their designees. Decisions of the hearing panel will be final. The findings will be based solely on the evidence presented at the hearing and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panel. Students dissatisfied with the outcome of their hearings may prepare a written statement to be placed in the education records and maintained as part of students' records.

Students who believe the adjudications of the challenges were unfair or not in keeping with the provisions of FERPA may request that the hearing be reviewed by the president of the university. In addition, students who wish to file a complaint under FERPA, should do so in writing to the Family Policy Compliance Office, sending pertinent information through the mail, concerning any allegations to the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

Revisions and clarifications of this policy will be published as the law warrants.