

## PRIVACY REGARDING STUDENTS' ACADEMIC AND EDUCATIONAL RECORDS

**Family Educational Rights and Privacy Act**, 20 USC § 1232g et seq. (**FERPA**), gives St. Thomas University (STU) students certain rights regarding their educational records. Educational records are directly related to a student and maintained by STU or a party acting for STU.

The term "**educational documentation**" does not include the following:

- a. Records of a teaching, supervisory, administrative and educational nature kept by STU officials for personal use only.
- b. Documentation of student employees.
- c. Alumni documentation.
- d. Student health, psychiatric and counseling records are maintained in connection with students' treatment. (These records may be protected by other laws that protect health records).

Students' rights regarding educational documents include the following:

1. The right to inspect and review the student's educational records within 45 days of the day STU receives an access request. The student must submit a written request to the Register identifying the documents the student wishes to inspect. The STU Register will make access arrangements and notify the student of the time and place the documents may be inspected.
2. The right to request amendment of student education records that the student believes are inaccurate, misleading, or violate the student's privacy rights under FERPA. A student who wishes to ask STU to amend a document must write to the STU official responsible for the record, clearly identifying the part of the document the student wishes to amend and specifying why it should be amended. If STU decides not to amend the document as requested, STU will inform the student in writing of the decision and their right to a hearing on the request for amendment. Further information about the hearing procedures will be provided to the student upon notification of the right to a hearing.
3. The right to provide written consent before STU discloses personally identifiable information in a student's education records, except where FERPA authorizes disclosure without consent.
4. FERPA allows disclosure of student education records to university officials with a legitimate educational interest in the records without requiring the student's written consent. STU discloses academic records without the student's prior written consent under this exception to FERPA requirements. A "school official" is a person employed by STU in an administrative, supervisory, academic, research, or staff support position (including law enforcement, personnel, and health care personnel); a person or company with whom STU has contracted as its agent to provide a service, such as an attorney, auditor, or collection agent; a person who serves on the Board of Trustees; or a student who serves on an official committee, such as a disciplinary or grievance committee, or who assists another school official in performing their duties. A school official has a "legitimate educational interest" if they need to review an educational document to fulfill their professional responsibilities for STU.
5. FERPA allows disclosure of student education records without the student's prior written consent to schools where the student intends to enroll or is already registered. Upon request, STU will disclose school records without written approval under this exception to FERPA requirements. STU will make a reasonable attempt to inform each student of these disclosures.
6. The right to file a complaint with the U.S. Department of Education regarding alleged failures by STU to comply with FERPA requirements.

Students can contact FERPA at:

**Family Educational Rights and Privacy Act  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW Washington, DC 20202-5901**

### **Directory Information**

FERPA allows the disclosure of "directory information" without the student's prior written consent. FERPA also allows students to request that their information not be disclosed. STU discloses "confidential information" without the specific prior consent of the student unless the student has requested that their confidential information not be disclosed by following the procedure described below.

For this purpose, directory information is defined as follows:

- Last and First Name (including maiden and married name, if applicable)
- Address, telephone number, and e-mail address
- Date and place of birth
- Main field of study
- Enrollment status (Bachelor or Master)

A student who does not want *directory information* released without their consent **MUST** explicitly state this in the **enrollment document - Privacy section** - [www.stthomasuniversity.org](http://www.stthomasuniversity.org)