

PRIVACY RIGHTS OF STUDENTS IN EDUCATION RECORDS

The federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) (FERPA) and regulations adopted thereunder (34 C.F.R. 99) set out requirements designed to protect students' privacy in their educational records maintained by the university. The statute and regulations govern access to certain student records maintained by the university and the release of those records. FERPA provides that the university must give a student access to most records directly related to the student and must also provide an opportunity to correct the records if the student believes the records are inaccurate, misleading, or otherwise inappropriate. The right to petition to correct a record under FERPA does not include the right to challenge the appropriateness of a grade determined by the instructor. In addition, FERPA generally requires the university obtain a student's written consent before releasing personally identifiable data pertaining to the student. The university has adopted a set of policies and procedures governing the implementation of FERPA and its regulations. Copies of these policies and procedures may be obtained on the web at <https://registrar.sfsu.edu/privacy> (<https://registrar.sfsu.edu/privacy/>) or in the Registrar's Office, Student Services Building Room 303. Among the information included in the university statement of policies and procedures is:

- a. The student records maintained and the information they contain;
- b. The university official responsible for maintaining each record;
- c. The location of access lists identifying persons requesting or receiving information from the record;
- d. Policies for reviewing and expunging records;
- e. Student access rights to their records;
- f. Procedure for challenging the content of student records; and
- g. The student's right to file a complaint with the Department of Education, which enforces FERPA. The Department of Education has established an office and review board to investigate complaints and adjudicate potential FERPA violations. The designated office is: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920.

FERPA authorizes that the university may release "directory information" pertaining to students. "Directory information" may include the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, 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, degrees, honors, and awards received, and the most recent previous educational agency or institution the student attended. The university may release this "directory information" unless the university has received prior written objection from the student specifying the information the student requests not be released. Written objections must be sent to the registrar's office, Email: records@sfsu.edu.

FERPA authorizes the university to provide access to student records without prior student consent to university officials, employees and others who have legitimate educational interests in such access. These persons include those with legitimate reasons to access student records to perform the university's academic, administrative or service functions, and those with a reason for accessing student records associated

with their university or other related academic responsibilities. Student records will also be disclosed to the CSU Chancellor's Office to conduct research, to analyze trends, or to provide other administrative services. Student records may also be disclosed without prior student consent to other persons or organizations under certain conditions (e.g., as part of the accreditation or program evaluation, in response to a court order or subpoena, in connection with financial aid, or to other institutions to which the student is transferring).