

Policy On Student Rights Under The Family Educational Rights And Privacy Act (FERPA)

GOVERNANCE AND LEGAL

Effective Date: January 1, 1974

Date Revised: June 30, 2016

Supersedes:

Related Policies:

Policy on Confidentiality of University Records and Information

Policy on Retention and Disposition of University Records

Responsible

Office/Department:

Office of the Registrar

Keywords: FERPA, Records; Confidential, Student Records, Directory Information; Privacy, Personally Identifiable Information; PII

I. Purpose and Scope

The federal Family Educational Rights and Privacy Act (FERPA, also known as the Buckley Amendment) provides students certain privacy rights in their educational records. This policy summarizes those rights and the university's obligations under FERPA. It applies to current and former students of Northeastern University.

II. Definitions

Student: Any individual formally admitted to Northeastern who is or has been actually registered at the university. Applicants for admission and persons who have been admitted to the university but have not registered are not students under this policy.

Parent: A parent, a guardian, or a duly authorized individual acting as a parent in the absence of a parent or guardian.

Record: Any information or data recorded in any medium, including, but not limited to, handwriting, print, tapes, computer files, video or audio files, film, microfilm or microfiche.

Educational record: Information about an individual student that is maintained by the university in connection with his or her attendance, recorded in any medium, including, but not limited

to, handwriting, print, tapes, computer files, video or audio files, film, microfilm or microfiche. Educational records include, but are not limited to,

- Academic Evaluations
- Advising records
- Disciplinary records
- Financial aid records
- Letters of recommendation
- Transcripts, test scores and other academic records
- Cooperative work records
- Student health records.

Directory Information: Information that can be released to third parties without the prior consent of the student, unless the student specifically requests otherwise in accordance with the Office of the University Registrar's procedures. Although directory information may be released unless the student has notified the Office of the University Registrar otherwise, Northeastern considers each request on an individual basis.

Northeastern treats the following as directory information (the office listed has the most accurate and up-to-date information):

Office of the University Registrar

- Student Name
- Home Address (City, State, Country ONLY)
- Major field of study
- College
- Class year
- Enrollment status (e.g. undergraduate or graduate, full-time or part-time)
- Dates of attendance
- Degrees, honors and awards received
- Most recent educational agency or institution attended

Department of Athletics

- Sports activity participation, showing weight/height of members of athletic teams

Center for Student Involvement

- Participation in officially recognized activities

III. Policy

A. A student has the right to inspect and review his or her personal educational records, except as listed below:

1. Confidential letters of recommendation placed in files before January 1, 1975.
2. Financial records of the student's parents.
3. Employment records, except in those instances in which the employment is part of the student's program, e.g., cooperative education records.
4. Letters of recommendation or other documents that carry a voluntary signed waiver of the student's right to access.
5. Records compiled by Northeastern University's Public Safety Division for the purpose of law enforcement.
6. Any information in a student's file regarding other students that would identify those students.

B. A student has the right to request that the university amend the student's educational records that the student believes are inaccurate, misleading, or in violation of the student's privacy rights, following the procedures below.

C. Student educational records are accessible to university officials (including persons or companies whom the university has put under contract, such as an outside attorney or auditor) who have a legitimate educational interest in the information contained in the records and who seek access for the purpose of performing their job functions.

D. Northeastern University can release student directory information without the student's prior written consent unless the student has requested otherwise through the Office of the Registrar.

IV. Additional Information

A. A student seeking to review his or her educational records submits to the Registrar, college dean, department chair or other university official holding the relevant records, a written request identifying the records the student wishes to review. The university official makes arrangements for access and notifies the student of the time and place where the records may be reviewed. If the records requested are not maintained by the university official to whom the request was submitted, that official directs the student to the official to whom the request should be addressed. The university will make records available to the student within 45 days of receiving the student's request for access.

B. A student asks the university to amend an educational record by writing the university official responsible for the record, clearly identifying the part of the record the student wants changed, and specifying why the student believes it is inaccurate or misleading. If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Information regarding hearing procedures is available from the Office of the Registrar. Contact information for the Office of the Registrar is in Section V below.

C. Under FERPA, institutions are not required to disclose a student's educational record to a parent, but may do so if (a) there is written consent to the disclosure from the student, or (b) the parent requests the information in writing and provides a copy of his or her most recent federal tax return (confidential information on the return may be expunged) showing that the student is his or her dependent under the Internal Revenue Code, or (c) the student has violated a law or Northeastern University policy regarding the use or possession of alcohol or a controlled substance, provided that the university has determined that the student has committed a disciplinary violation with respect to that use or possession and the student is under the age of 21 at the time of disclosure. Northeastern reserves the right to notify parents in disciplinary cases of suspension or expulsion.

If a student elects not to share educational records with a parent, Northeastern will, if asked, indicate to the parent that the student has restricted access to the records.

D. The university may release a student's educational records without the student's consent in order to comply with a judicial order or a lawfully issued subpoena. Except as required by law, the university will notify a student whose records are subject to such a judicial order or subpoena within ten days of its receipt.

The USA Patriot Act provides law enforcement agencies access to confidential university records on students, faculty and staff. The university must provide the requested information on being shown a warrant or court order executed under the Patriot Act. Under the provisions of this Act, which takes priority over FERPA, the student, faculty member or staff member may not be notified of the request for and release of information.

E. The university retains student educational records as specified in the Policy on Retention and Disposition of University Records.

F. For further information on the University procedures for release of directory information please visit the office of the University Registrar's website at <http://www.northeastern.edu/registrar/guidelines-stu-access.html>

V. Contact Information

University Registrar,

271 Huntington Ave.

Voice:617.373.2300

TTY:617.373.5360

Fax: 617.373.5360

registrar@northeastern.edu

A person may file a written complaint with the U.S. Department of Education at the address below regarding an alleged violation of FERPA:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-4605

Website: www.ed.gov/offices/OM/fpco

