

STUDENT REVIEW OF EDUCATION RECORDS

FERPA INFORMATION & STUDENT RIGHTS

INDIANA UNIVERSITY SOUTHEAST

The **Family Educational Rights and Privacy Act** is a Federal law that, at the post-secondary level, 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.

Student Rights granted by FERPA are:

- The right to inspect and review the education records relating to the student maintained by the colleges the student attends or has attended.
- The right to challenge and require the college to amend any portion of the education records concerning the student that are inaccurate, misleading or otherwise in violation of the student's privacy rights.
- The right to require the college to obtain written consent prior to the disclosure of personally identifiable information, except in those instances specifically noted in the statute.

If an item of information about a student is not contained in an education record, the student does not have access or amendment rights. Similarly, if an item of information is not considered personally identifiable information, consent to disclosure is not required. Personal notes/ memory aids are not considered education records under FERPA and, as such, may not be reviewed by the student. Such notes are considered "sole possession records" under FERPA and cannot be accessible to others. The student may not view education records that contain information on another student. Such records will be redacted.

Eligible students have the right to inspect and review their education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for eligible students to review the records.

Schools must have written permission from the eligible student in order to release any information from an education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions.

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specific officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

The student must make the request to review education records in writing using the "**Student Request to View Official Education Record**" form (attached). Per FERPA guidelines, IU Southeast has established procedures to respond to a request for access to education records within a reasonable period of time, but in no case no more than 45 calendar days after the request has been made.