

Annual FERPA Notification

The Family Educational Rights and Privacy Act of 1974 (PL93-380), commonly referred to as FERPA, provides that all records pertaining to a student that are maintained by the University must be open to inspection by the student and may not be made available to any other person without the written authorization of the student. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. A "student" is defined as a person who has registered and paid for one or more courses and who remains enrolled through the official date of record for that term.

The act also allows the release of "directory information" – defined by each institution but limited to information that might have traditionally been published in a directory of students.

Directory information includes:

- Name
- Current address
- Telephone number(s)
- Email Address(es)
- Program of study (major)
- Dates of attendance
- Photographs
- Full-time or part-time enrollment status
- Degrees and honor awards received and dates granted
- Previous educational institution(s) attended
- Eligibility and participation in officially recognized activities
- Weight/height of members of athletic teams

During New Student Orientation, students are informed of their right to withhold the release of directory information. A student may request that the university stop withholding the release of directory information at any time. Without consent of the student, FERPA permits the release of student information to the following:

- To officials at an institution in which the student seeks to enroll;
- To comply with a court order or subpoena;
- To university officials who have legitimate educational interest in specific student information;
- In connection with a health or safety emergency, if necessary, to protect the student and others;
- In strict compliance with the requirements of FERPA or other applicable law.

Otherwise, non-directory information is never released to any outside party without the student's official authorization. These non-directory items include, but are not limited to:

- Grade point average (GPA)
- Academic standing
- Grades or transcripts
- Matters of student conduct

Students may complete a FERPA Student Authorization to Release Information and or block the release of Directory Information by logging into PV Place/Panther Tracks, selecting the FERPA Tab, and completing the required questions.

Questions concerning FERPA may be directed to Registrar@pvamu.edu or (936) 261-1000, Option 2.

Students are encouraged to exercise all of their rights under the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). Operating under the premise that the educational process is a cooperative venture between a student and the university, the university emphasizes the following rights of students:

1. The right to inspect and review, with certain limited exceptions, the student's education records, including the right to receive explanations and interpretations of the records and to obtain copies of the records when such are needed to allow the student to effectively exercise his/her right of inspection and review. Conduct files maintained by the Student Conduct Office will be administered under its rules. Students who want to inspect and review their education records should submit a written request that identifies the record(s) to the Office of the Registrar. The Office of the Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Office of the Registrar, the Office of the Registrar will advise the student of the correct school official to whom the request should be addressed.
2. The right to seek amendment of a student's education records when the records are inaccurate, misleading or otherwise in violation of FERPA. A student wishing to seek amendment of education records should notify the Office of the Registrar. The notice must be written and specifically identify with the desired amendment and the basis for the request. If the university decides not to amend the record as requested, the university will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
 - One exception that permits disclosure without consent is disclosure to *school officials with legitimate educational interests*. A *school official* is a person or entity:
 1. employed by the university or the university system in an administrative, supervisory, academic, research, or support staff position;
 2. serving on a university governing body or duly authorized panel or committee; or

3. not employed by the university who performs an institutional task, function, or service for which the university would otherwise use its own employees and who is under the direct control of the university with respect to the use and maintenance of education records.
- A school official has a *legitimate educational interest* if the information requested is necessary for that official to fulfill their professional responsibility, such as to
 1. perform appropriate tasks that are specified in their position description or in the performance of regularly assigned duties by their supervisor;
 2. fulfill the terms of a contractual agreement;
 3. perform a task related to a student's education;
 4. perform a task related to the discipline of a student; or
 5. provide a service or benefit relating to the student or student's family, such as health care, counseling, financial aid, job placement, or former student-related activities.
- The university, in accordance with FERPA, also discloses education records without consent to officials of another school where the student seeks or intends to enroll or where the student is already enrolled if the disclosure is requested by the other school and for purposes related to the student's enrollment or transfer.
4. The right to file a complaint with the Department of Education concerning alleged failures by the university to comply with the requirements of FERPA.

All the rights and protections given under FERPA belong to the student. However, information in student records may be provided to parents/legal guardians without the written consent of the student if the eligible student is a financial dependent of his or her parents/legal guardians as defined under Section 152 of the Internal Revenue Code of 1986.