

# **Appendix M**

## **Confidentiality of Student Records: Family Educational Rights and Privacy Act (FERPA)**

1. Georgia Southwestern State University is covered by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, which is designed to protect students' rights in regard to education records maintained by the institution. Under the Act, students have the following rights:
  - a. the right to inspect and review education records maintained by the institution that pertain to you;
  - b. the right to challenge the content of records (except grades that can only be challenged through the Grade Appeal Process) on the grounds that they are inaccurate, misleading or a violation of your privacy or other rights; and
  - c. the right to control disclosures from your education records with certain exceptions.
  
2. Any student who is or has been in attendance at Georgia Southwestern State University has the right to inspect and review his or her educational records within a reasonable period of time (not to exceed 45 days) after making a written request. However, the student shall not have access to:
  - a. Financial records of parents.
  - b. Confidential letters of recommendation placed in record prior to January 1, 1975.
  - c. Letters of recommendation concerning admission, application for employment or honors for which the student has voluntarily signed a waiver.
  
3. Directory information will be treated as public information and be generally available on all students and former students, at the discretion of the university. Directory information includes the student's name; telephone number; major field of study; dates of attendance; degrees, honors and awards received; level, and full or part time status. Participation in officially recognized sports; height, weight, age, home-town and general interest items of members of athletic teams is also included in Directory Information.

- 4.** Requests for Education Records should be made in writing to the Registrar, Georgia Southwestern State University. "Education Records" means generally any record maintained by or for Georgia Southwestern State University and containing information directly related to the students' academic activities. Requests for any information or documents in the student's judicial file must be made in writing with the student's signature to the the Assistant Dean of Student's Office.
- 5.** Students who challenge the correctness of student educational records shall file a written request for amendment with the Registrar. The student shall also present to the Registrar copies of all available evidence relating to the data or material being challenged. The Registrar shall forward the information to the custodian of the record who will consider the request and shall notify the student in writing within 15 business days whether the request will be granted or denied. During that time, any challenge may be settled informally between the student, or the parents of a dependent student, and the custodian of the records, in consultation with other appropriate University officials. If an agreement is reached it shall be in writing and signed by all parties involved. A copy of such agreement will be maintained in the student's record. If an agreement is not reached informally or, if the request for amendment is denied, the student shall have the right to challenge through the Grievance Procedure outlined in the Student Handbook.
- 6.** Release of protected information in the student's educational record without consent will be allowed to:

  - a.** Institutional personnel who have a legitimate educational interest.
  - b.** Officials of other schools where the student seeks to enroll. Efforts will be made to notify the student of the release of such information.
  - c.** Representatives of Federal agencies authorized by law to have access to education records, and state education authorities.
  - d.** Appropriate persons in connection with a student's application for or receipt of financial aid.
  - e.** State and local officials to whom information must be released pursuant to a state statute adopted prior to November 19, 1974.
  - f.** Organizations conducting studies for the institution.
  - g.** Accrediting organizations.
  - h.** Parents of a dependent student, as determined by the Internal Revenue Code of 1954, as amended.

- i.** Persons necessary in emergency situations to protect health and safety.
  - j.** Persons designated in subpoenas or court orders.
  - k.** Parents of the students who are under 21 in cases involving alcohol or drug use.
- 7.** If a request for Education Records is not covered by the Annual Disclosure Statement provided by the Registrar, the written request for release of information should be submitted to the Registrar and contain the following information:
  - a.** Specific records to be released.
  - b.** Reasons for such release.
  - c.** To whom records are to be released.
  - d.** Date.
  - e.** Signature of the student.
- 8.** Records will be released in compliance with a judicial order or lawfully issued subpoena. However, reasonable efforts will be made to notify the student in advance of compliance.
- 9.** Students have the right to obtain copies of official transcripts provided all financial obligations to the University have been met. Students will be charged at the prevailing rate for each certified transcript obtained. Copies of other information in the student's education record will be provided at a cost of \$0.25 per page of copy.
- 10.** Students who feel that their rights have been violated under the provisions of the Family Educational and Privacy Act should write to the following office:  
Department of Education, 330 Independence Avenue, SW, Washington, D.C. 20201.
- 11.** Georgia has an Open Records Act. All records kept by Georgia Southwestern State University, except those protected by the Family Educational Rights and Privacy Act of 1974, are subject to public open records requests. Requests for public open records should be submitted in writing to the Director of Human Resources, Georgia Southwestern State University.