

CT BOARD OF REGENTS FOR HIGHER EDUCATION

RESOLUTION

concerning

**Family Educational Rights and Privacy Act (FERPA) Notice and
Directory Information Policy**

December 18, 2014

WHEREAS, The Board of Regents in accord with the Connecticut State Colleges and Universities comprised of seventeen institution and a System Office, is committed to protecting the privacy of its students, and disclosing student information only as consented to or otherwise acceptable under the Family Educational Rights and Privacy Act (FERPA); and

WHEREAS, the Code of Federal Regulations Title 34 Section 99.1 requires that each education agency or institution provide students with notice of the rights under FERPA including the right to inspect and review records; amend records believed to be inaccurate; consent to the disclosure of records; and instruct on procedures to file complaints; and the ability to opt out of directory information; and

WHEREAS, The Code of Federal Regulations Title 34 Section 99.31 describes conditions under which consent is not required to disclose information and those conditions include but are not limited to school officials and directory information; and

WHEREAS, CSCU in working systematically needs to access directory information within its system, but not with the public at large;

WHEREAS, The Board of Trustees of the Community Colleges had approved Policy 5.7 Notification of Rights under the Family Educational Rights and Privacy Act (FERPA) amended 2010 and each of the State Universities maintained their own procedures with respect to managing directory information and notice requirements; therefore be it

RESOLVED, That the Board of Regents rescinds the Community College Board of Trustees Policy 5.7 and supplants the State Universities internal procedures; be it

RESOLVED, That the Board of Regents approves and adopts the Family Education Rights and Privacy Act Notice and Directory Information Policy.

A True Copy:

Erin A. Fitzgerald, Secretary of the
CT Board of Regents for Higher Education

**Family Educational Rights and Privacy Act (FERPA) Notice and
Directory Information Policy**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the College or University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College or University official 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 College or University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request amendment of an education record that the student believes is inaccurate. Students may ask an appropriate College or University official to amend a record that they believe is inaccurate. However, FERPA is not intended to provide a process to question substantive judgments that are correctly recorded. Consequently, FERPA amendment requests do not allow a student to contest a grade in a course because the student believes that a higher grade should have been assigned. To request amendment of an education record, the student should write to the official, clearly identifying the part of the record he or she wants changed and specifying why he/she believes it is inaccurate. The institution will notify the student of the decision. If the institution decides not to amend the record as requested by the student, a College or University official will advise the student of his or her 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 provide written consent before the College or University discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. FERPA permits disclosure without a student's prior written consent under the FERPA exception for disclosure to school officials who have a legitimate educational interest. A "school official" is a person employed by a College or University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Regents; an employee of the Board of Regents System Office; or, a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the College or University who performs an institutional service or function for which the College or University would otherwise use its own employees and who is under the direct control of the College or University with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College or University. Upon request, the College or University also discloses education records to officials of another school in which a student seeks or intends to enroll without the prior consent of, or notice to, the student.

FERPA also permits disclosure of education records without consent in connection with, but not limited to:

- To comply with a judicial order or a lawfully issued subpoena;
- To appropriate parties in a health or safety emergency;
- In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;

- To certain officials of the U.S. Department of Education, the Comptroller General, to state and local educational authorities, in connection with certain state or federally supported education programs;
- To accrediting organizations to carry out their functions;
- To organizations conducting certain studies for or on behalf of the College or University;
- The results of an institutional disciplinary proceeding against the alleged perpetrator of a crime of violence to the alleged victim of that crime with respect to that crime.
- Directory information as defined in the policy of the Board of Regents.

4. **The right to refuse to permit the College or University to release Directory Information** about the student, except to school officials with a legitimate educational interest and others as indicated in paragraph 3 above. To do so, a student exercising this right must notify the University's or College's Registrar, in writing. Once filed, this notification becomes a permanent part of the student's record until the student instructs the University or College, in writing, to remove it. A student may exercise his or her right to opt out of Directory Information, prohibiting disclosure of the student's information without the student's consent as noted in section 3, except however, that pursuant to the Solomon Amendment, military recruiters must be provided the same access to student information as is provided to nonmilitary recruiters.

5. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by Colleges to comply with the requirements of FERPA.** The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605**

Directory Information

Acknowledging that Directory Information is FERPA protected information that may be disclosed at the discretion of a College or University, it is the policy of the Board of Regents for Higher Education for the Connecticut State Colleges and Universities that disclosure of Directory Information is within the sole discretion of the College or University. Colleges and Universities may disclose Directory Information without the prior consent of the student only as provided herein.

The Board of Regents for Higher Education has designated the following as Directory Information:

For purposes of access by school officials of the Colleges and Universities governed by the Board of Regents for Higher Education, the following is designated as Directory Information:

- Student name
- Permanent mailing address
- Month and day of birth
- Photographs
- Student identification number, User ID, or other unique identifier
- Email address
- Telephone number
- University or College previously attended or currently attending
- Dates of attendance
- Full vs. part-time student status
- Awards and honors
- Class standing/year
- Major, minor, concentration and/or program of study
- Degree(s)/Certificate(s) candidacy
- Degree(s)/Certificate(s) earned
- Previous Institutions attended
- Graduation expected/completion dates
- For purposes of access by military recruiters only, the following is designated as Directory Information (Student Recruiting Information):
 - Student's name
 - Permanent mailing address
 - Telephone number
 - Age
 - Place of birth
 - Class standing/year
 - Major and/or program of study
 - Degrees received
 - Most recent educational institution attended

For purposes of participation in any recognized activity or sports, the following is designated as Directory Information:

- Student's name
- City and State of Residence
- Dates of attendance
- Class standing/Year
- Recognized activity or sport
- Team performance statistics
- Team position
- Photos and videos
- Awards
- Height and weight of athlete

For purposes of disclosure to/access by the general public, the following is designated as Directory Information:

- Student's name
- Permanent mailing address
- Photographs
- Dates of attendance
- Major, minor, concentration and/or program of study
- Degree/Certificate candidacy
- Degree(s)/Certificate(s) earned
- Awards
- Full vs. Part-time status
- Anticipated graduation date
- Graduation date
- Connecticut Community College Only - Student identification number, User ID, or other unique identifier
- Charter Oak State University Only – Email address