

Annual Notification of Rights under The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law which sets forth requirements aimed at protecting the privacy of educational records. Education records are defined as those records which directly relate to a student and are maintained by an educational agency or institution or by a party acting on behalf of that institution. Any educational institution that receives funds under any program administered by the U.S. Secretary of Education is bound by FERPA requirements.

Once students are enrolled at Missouri Western State University, FERPA rights transfer to the student, regardless of the student's age.

Students have inherent rights under FERPA with respect to their education records.

1. The right to inspect and review the student's education records within 45 days after the day the University receives a request for access.

A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school 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 school 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 the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If Missouri Western 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. If, as a result of the hearing, the school still decides not to amend the record, the student has the right to insert a statement in the record setting forth his or her views. That statement must remain with the contested part of the student's record for as long as the record is maintained.

3. The right to provide written consent before Missouri Western discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Missouri Western will disclose education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official includes a person employed by the University in an administrative, supervisory, academic, research, or support position (including law enforcement unit personnel and health staff). A school official also may include a contractor outside of Missouri Western who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of the personally identifiable information from education

records. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill professional responsibilities for the University. (See below for additional information about the disclosure of education records.)

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Missouri Western 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 20202-8520

Education records may be recorded in any way, including, but not limited to, handwriting, print, computer files and databases, videotape, audiotape, film, microfilm, microfiche, and e-mail. Education records include, but are not limited to, grades, transcripts, advising records, class lists, student course schedules, student financial information, and student disciplinary files.

In addition to school officials with legitimate educational interest, FERPA permits the disclosure of a student's education records, without consent of the student, under certain conditions. These conditions include, but are not limited to:

- as directory information;
- to organizations conducting studies of or on behalf of educational institutions;
- to officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer;
- to federal, state or local education authorities;
- in connection with the receipt of financial aid;
- to accrediting agencies;
- to comply with a judicial order or subpoena;
- to appropriate officials in health or safety emergencies
- results of a disciplinary hearing to an alleged victim of a crime of violence
- to parents of students under the age of 21 know when the student has violated any law or policy concerning the use or possession of alcohol or a controlled substance

Missouri Western State University may disclose directory information collectively or individually. The following information is considered directory information:

- name;
- mailing address;
- phone numbers;
- campus e-mail address;
- date of birth (month/day);
- major or field of study;
- dates of attendance;

- enrollment status;
- anticipated graduation date;
- classification;
- degrees awarded;
- honors awarded;
- previous institutions attended;
- participation in activities/sports;
- weight/height of athletes.

Missouri Western State University does publish lists, brochures, catalogs, directories, yearbooks, commencement items, annuals, guidebooks, news releases, honor rolls, etc., which may specifically identify students and contain their directory information.

Currently enrolled students may choose to withhold disclosure of directory information under the Family Educational Rights and Privacy Act. Choosing to withhold directory information will be considered a complete withholding of all information and may not be a selective withholding. To withhold disclosure of directory information, written notification must be received in the Registrar's Office (Eder Hall 102). A hold will not apply retroactively and will remain valid until the student submits notification in writing, stating otherwise. Missouri Western assumes that failure on the part of any student to specifically request the withholding of directory Information indicates individual approval for disclosure.

Additional information regarding FERPA may be obtained from the Office of the Registrar, Eder 102 or the University's Risk Manager, Popplewell 221.