

FERPA Annual Notification to Students

The Family Educational Rights and Privacy Act of 1974 (FERPA, or the "Buckley Amendment") protects the privacy of all student educational records and requires that students be notified annually of their rights under the law.

Under the provisions of FERPA, school officials may release directory information at their discretion without prior consent of the student. Directory information at ASU is defined below. The student has the right to withhold disclosure of all information and may do so by completing the form "Withholding Directory Information" which can be obtained from the Admission and Records Office or by completing the request on their independent student application for admissions to ASU. A restriction prevents ASU from releasing any information about a student, including the student's attendance.

A "school official" is any person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement units and student workers); a person of a company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; a person assisting another school official in performing his or her tasks. A school official has a "legitimate educational interest" in the student record if the official needs to review an education record in order to fulfill his or her professional responsibility.

Students may amend or correct their records if information is inaccurate, misleading, or incomplete. Students have the right to a hearing if the records are not corrected. If a student is dissatisfied with the results of a hearing, he or she may place a statement in the records to that effect. If a student feels that the institution has not fully honored his or her privacy rights under FERPA, a written complaint may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. SW, Washington, DC 20202-4605.

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

These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, or vice president of the University a written request that identifies the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the University Official to whom the request was made does not maintain the records then the student will be advised of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education record that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write to the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and 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 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, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is defined as a person employed by the University in an administrative, supervisory, academic, or support staff position (including law enforcement unit and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University 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, S.W., Washington, DC 20202-4605.
5. ASU is not required to provide a hard copy of the education record unless failure to do so would deny access.
6. Students and former students have the right to review records of requests for disclosure of their personally identifiable information.

Directory Information Policy

At its discretion, Athens State University may provide directory information in accordance with the provisions of the Family Education Rights and Privacy Act. Directory information is defined as that information which would not generally be considered harmful or an invasion of privacy if disclosed. Designated directory information at Athens State University includes the following:

- Student name
- Permanent and local addresses
- Telephone listing
- Date and place of birth
- Major fields of study
- Dates of attendance
- Degrees and awards received
- High school and other colleges and universities attended
- Participation in officially recognized organization, activities, and sports

Students may withhold directory information by contacting the Registrar's Office and placing a restriction on their records.

Note: FERPA was not intended to provide a process to be used to question substantive judgments, which are correctly recorded. The rights of challenge are not intended to allow students to contest, for example, a grade in a course because they felt a higher grade should have been assigned.

The University may disclose education records in certain other circumstances:

- To comply with a judicial order or a lawfully issued subpoena;
- To appropriate parties in a health or safety emergency;
- To officials of another school, upon request, in which a student seeks or intends;
- To enroll; 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 University;
- The results of an institutional disciplinary proceeding against the alleged of a crime of violence may be released to the alleged victim of that crime with respect to that crime.

For purposes of compliance with FERPA, the University considers all students independent.