

# FERPA

Emporia State University affords students their full rights in conformity with the Family Educational Rights and Privacy Act of 1974, its amendments and implementing regulations. Eligible students (student is defined as an individual who is or has been in attendance at an institution and for whom ESU has maintained an educational record) have the right to inspect their educational records, request amendment of their records they believe to be incorrect or misleading, and restrict disclosure of their information in specific situations.

Students may waive their rights to inspect and review confidential statements and confidential letters of recommendation by providing a signed voluntary statement if, in conformity with applicable law; 1) the student is notified, upon request, of the names of those providing statements and letters, 2) the letters and statements are only released for the original purposes stated, and 3) the waiver is not a condition of admission or other benefit.

## DEFINITIONS

***Educational Records:*** Educational records are records maintained by Emporia State that contain information directly related to a student. Educational records do not include:

- Personal notes of faculty and staff;
- Alumni records (those records created after the student was enrolled);
- Employment records (not related to student status);
- Medical and counseling treatment records;
- Records for law enforcement purposes; and
- Certain financial records.

***Directory Information:*** Directory information is considered to be open to the public upon inquiry. Emporia State designates the following items as directory information:

- Name;
- Address;
- Phone number;
- Email address;
- Major field(s) of study;

- Student classification (i.e. freshman, sophomore);
- Enrollment status (full-time, part-time, undergraduate, graduate);
- Dates of attendance;
- Past and present participation in officially recognized activities and sports, including the weight and height of members of athletic teams;
- Degree(s) conferred and date(s) conferred;
- Certain awards, honors, and scholarships received;
- Photograph; and
- Most recent educational agency or institution attended.

***Legitimate Education Interest:*** A university official has a legitimate education interest in a student record if the official is performing a task that is specified in his or her position description or contract agreement.

## **STUDENT RIGHTS**

Students have the right to:

- Inspect their educational records;
- Request an amendment of their records they believe to be incorrect or misleading; and
- Restrict disclosure of their records in certain situations.

## **DISCLOSURE OF EDUCATIONAL RECORDS**

Emporia State may choose to release certain educational records without a student's consent to:

- School officials with a legitimate education interest;
- Comply with a judicial order or subpoena;
- Another institution where the student seeks to enroll or is enrolled;
- Certain education authorities, including the U.S. Department of Education or state or local authorities in connection with an audit or evaluation;
- Financial aid personnel;
- Parents or legal guardians of dependent students (IRS definition);
- Appropriate individuals when necessary to protect the health or safety of the student or others;
- Health or law enforcement authorities in conjunction with legal compliance;
- Organizations conducting studies to improve instruction or to accrediting organizations; and

- Contractors, consultants, or volunteers authorized to act for the University in specific situations.

Emporia State may also release educational records without a student's consent if personally identifiable information is removed or if the information is considered directory information and the student has not requested that his or her directory information not be made public. A student may request that his or her directory information be kept private through the Registrar's Office.