

UNIVERSITY OF DALLAS

Notification of Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They 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, Director of Student Records, dean, head of the academic department, or other appropriate official, written requests that identify 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 records are not maintained by the 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 the amendment of the student's education records that the student believes are inaccurate or misleading.***

Students may ask the University to amend a record that they believe is inaccurate or misleading. In the case of a grade change request, the student should follow the procedure explained on p. 26 of the *General Bulletin*. For other record amendments, students 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 a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel 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 a student serving on an official committee, such as a disciplinary or grievance committee, 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 education record in order to fulfill his or her professional responsibility. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

For other disclosures which postsecondary institutions may make without consent, please see the list on the next page of this document.

4) ***The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Dallas 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

Pursuant to FERPA, the following information is considered "**Directory Information**" and may be released to the public unless the student specifically requests in writing that it be withheld.

"Directory Information" includes a student's name, address, telephone number, email address, date and place of birth, major field of study, classification, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, enrollment status, degrees and awards received, and the most recent previous educational agency or institution attended. This is a category of information and does not refer to a publication known as a "directory."

Undergraduates and Braniff Liberal Arts students who would like this information withheld from the public must go in person to the Office of the Registrar by the 12th class day in the fall and spring semesters or the 4th class day either summer term and sign a "Request to Prevent Disclosure of Directory Information." Graduate School of Management students who wish to withhold directory information must advise the Office of Student Records in writing each trimester, and School of Ministry students should contact the SoM office. Directory information may be provided to UD officials and other specified individuals as prescribed by law (see #3 above).

FERPA permits the disclosure of personally identifiable information (PII) from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student:

To other school officials, including teachers, within the [School] whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))

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, subject to the requirements of §99.34.

To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.

In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.

To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.

To accrediting organizations to carry out their accrediting functions. To parents of an eligible student if the student is a dependent for IRS tax purposes.

To comply with a judicial order or lawfully issued subpoena.

To appropriate officials in connection with a health or safety emergency, subject to §99.36.

Information the school has designated as "directory information" under §99.37.

To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.

To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her.

To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.