

Notification of Rights Under FERPA
Family Educational Rights & Privacy Act
(Buckley Amendment, 1974)
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The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. These rights include:

A. The right to inspect and review the student's own education records (with certain limited exceptions) within 45 days of the day Texas State receives the student's request for access. A student should submit to the Registrar, Academic Dean, Department Chair, or other appropriate official, a written request identifying the records he or she wishes to inspect. Texas State 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.

B. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. The student should submit his or her request in writing to the university official responsible for the record, clearly identify the part of the record he or she wants amended, and specify why it is inaccurate or misleading. If the university decides not to amend the records as requested by the student, the university will notify the student within a reasonable time 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.

C. 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 that permits disclosure without consent is disclosure to "school officials" with "legitimate educational interests." A "school official" is a person employed by the university or the Texas State University System 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 to provide a service to or on behalf of the university (such as an attorney, auditor, information processor, or collection agent); a person serving on the Board of Regents, Texas State University System; 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 or maintain an education record in order to fulfill his or her professional or contractual responsibility.

Another such exception permits Texas State to disclose a student's "directory information" without consent. Texas State has designated the following information as

directory information: (1) name; (2) date and place of birth; (3) fields of study, including major and minor; (4) enrollment status (actual hours enrolled, undergraduate, graduate, etc.); (5) degrees, certificates, and awards; (6) type of award received (academic, technical, continuing education, etc.); (7) dates of attendance; (8) student classification; (9) name of the most recent previous educational agency or institution attended; (10) telephone number, including cell phone number; (11) current and permanent addresses, excluding e-mail addresses; (12) weight and height of athletes; (13) participation in officially recognized activities and sports; (14) names of prospective graduates; (15) names of parents; (16) photographs of students; and (17) any other records that could be treated as directory information under FERPA.

Upon request, the university also discloses education records without consent to officials of another school in which a student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

D. The right to have the student's directory information withheld. To do so, the student should complete and submit a Privacy Hold Form that is available in the Office of the University Registrar or online at <http://gato-docs.its.txstate.edu/registrar-office/registrar-forms/Privacy-Hold-Form/Privacy%20Hold%20Form.pdf>. Texas State will apply the privacy hold request to the student's records until the student notifies the Registrar's Office otherwise.

E. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Texas State 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 Ave., SW, Washington, DC 20202-4605.

F. Texas State may release the results of campus disciplinary proceedings concerning alleged perpetrators of violent crimes to the victims of those violent crimes.