

THE LUTHERAN UNIVERSITY ASSOCIATION, INC.
d/b/a VALPARAISO UNIVERSITY

FAMILY EDUCATION RIGHTS AND PRIVACY ACT of 1974 (FERPA)

Student Records

Valparaiso University provides students with access to their official records under the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Family Education Rights and Privacy and Privacy Act of 1974

FERPA affords eligible students certain rights with respect to their education records. An eligible student under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age. These rights begin on the first day of class following a student's admission. 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.
(Exceptions are records in the Health Center, the Student Counseling and Development Center, and the Chapel Counseling Center to the extent such records are made, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice. Exceptions also include records maintained by the Valparaiso University Police Department that were created by the VUPD for the purpose of law enforcement. Students are also generally not allowed access to financial records of their parents or any information contained therein. Other exceptions may also apply).

Students should submit to the registrar, 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. Parents of dependent students have the right to request information about their children without having to gain students' consent.

Official transcripts of academic records are released only upon the written request of the student.

- 2) The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Students may ask the university to amend a record that they believe is inaccurate or misleading. They should write 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 provide written consent to disclosures of personally identifiable information (“PII”) contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

The university must obtain the written consent of present or former students before releasing personally identifiable data about them from records (other than to a specified list of exceptions in the Act). When information is released from students’ files, the written consent, the reason(s) for the release, and the name of the recipient of the release must be attached to the copy of the data released which is kept in the file. The recommendation or data released must include a statement that the information is not to be released to anyone else without student’s prior written consent.

FERPA regulations do include an exception that permits disclosure without the student’s prior written consent if the disclosure is to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic research, or support staff position (including law enforcement personnel and health staff); a person serving on the Board of Directors; 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 may also include a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); volunteers; or contractors who perform an institutional service of function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of PII from education records.

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.

As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expanded the circumstances under which your education records and personally identifiable information (PII) contained in such records – including your Social Security Number, grades, or other private information – may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal or state supported education program. The evaluation may relate to any program that is “principally engaged in the provision of education” such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide

Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

- 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, SW, Washington, DC 20202-4605.

The university hereby gives public notice of its intention to disclose directory information of the following type:

- Name, Address, Telephone/Cell phone number
- Student's email address
- Student's photograph
- Date and place of birth
- Enrollment Status
- Student identification numbers
- Grade Level
- Major field of study
- Participation in officially recognized activities and sports
- Height and weight of members of athletic teams
- Dates of attendance
- Degrees and awards received
- The most recent previous educational agency or institution attended

The University can and will release directory information without the student's consent at its discretion, unless the student provides prior written notice restricting such disclosure. The University will honor all requests to withhold any of the categories of directory information, but will not assume any responsibility to contact the student for subsequent permission to release that information. Regardless of the effect on the student, the University assumes no liability for honoring a request of the student to restrict the disclosure of directory information. Likewise, the University may disallow a student from opting-out of disclosure of the student's name, identifier, or institutional email address in a class in which the student is enrolled.

An eligible student has a right to refuse to let Valparaiso University designate any or all of these types of information about the student as directory information. Specific requests to limit the disclosure of directory information of a particular student must be filed with the Office of the Registrar in writing within two weeks of the beginning of a semester and must state that the student does not want any or all of the directory information about the student disclosed.