

What is FERPA?

FERPA (Family Educational Rights and Privacy Act of 1974) is a federal law designed to protect the privacy and accuracy of educational records. The act applies to all institutions that are recipients of federal aid administered by the United States Secretary of Education. It grants four specific rights to enrolled students:

- The right to inspect and review education records maintained by the institution.
- The right to request an amendment to those records believed to be inaccurate or misleading.
- The right to consent to disclosure of one's records.
- The right to file a complaint with the Family Policy Compliance Office in Washington, D.C. concerning alleged failures to comply with FERPA.

What is an educational record?

Educational records are official records and files maintained by the school's offices.

What is not considered an educational record?

The following are not considered educational records:

- personal files maintained by instructors or staff.
- files maintained by the Security Department.

When is a student's written consent not required to disclose an education record?

A postsecondary institution may, but is not obligated to, release information from the education record when the disclosure is:

- to school officials with a legitimate educational interest.
- to officials of another school where the student seeks or intends to enroll.
- to federal, state or local authorities involved with an audit or evaluation of compliance with education programs.
- in connection with financial aid.
- to organizations conducting studies for, or on behalf of, the school.
- to accrediting organizations.
- to parents of an eligible student if the student is a dependent for IRS tax purposes.
- to comply with a judicial order or subpoena.
- in connection to a health or safety emergency.
- information designated as "directory information".
- releasing results of disciplinary proceedings to the victim of an alleged violent crime.
- releasing results of disciplinary proceedings to the general public when the student has violated school policy
- to parents of a student under age 21 who has violated school policy governing the use of alcohol or a controlled substance.

What is Directory Information?

Directory information is personally identifiable information about students that the institution can, but is not obligated to, release without prior written consent, unless the student has signed and submitted a Directory Opt-Out Notice form to the Office of the Registrar. Mitchell Hamline School of Law has designated the following as directory information:

- name
- address
- email address
- telephone number
- participation in recognized activities such as competitions and publications
- dates of attendance
- degree and awards received
- most recent previously attended school
- year in law school
- part-time or full-time status

Who is a school official?

A school official typically includes:

- a person employed by Mitchell Hamline School of Law in an administrative, supervisory, academic, research, or support staff position.
- a person serving on the board of trustees.
- a student serving on an official committee.

A school official may include a volunteer or contractor who performs an institutional service. Such officials include:

- attorney
- auditor
- collection agent
- student volunteering to assist another school official in performing his or her tasks

What is legitimate educational interest?

Legitimate educational interest is when the official needs to review an education record in order to fulfill his or her professional responsibilities for Mitchell Hamline School of Law.

For more information about FERPA and the student records policy, visit the Office of the Registrar website:

mitchellhamline.edu/registrar

or email

registrar@mitchellhamline.edu

Family Education Rights and Privacy Act (FERPA)

Quick Guide