

## Family Educational Rights and Privacy Act (FERPA)

Annually, New York University informs students of their rights under the Family Educational Rights and Privacy Act (FERPA) and the regulations relating to FERPA promulgated by the Department of Education. Together, FERPA and the FERPA regulations provide that

- (a) each student has a right to inspect and review his or her education records;
- (b) each student may request that any such record be amended if he or she believes that it is inaccurate, misleading, or otherwise in violation of his or her privacy;
- (c) the University will obtain the student's written consent prior to disclosing personally identifiable information about the student from his or her education records, unless such consent is not required by FERPA and the FERPA regulations;
- (d) each student has a right to file a complaint with the Family Policy Compliance Office of the Department of Education if he or she feels the University has failed to comply with the requirements of FERPA and the FERPA regulations;
- (e) each student may obtain a copy of the University's Guidelines for Compliance with the Family Educational Rights and Privacy Act.

These guidelines are available from the Office of Academic Program Review, 194 Mercer Street, Room 403F, and at <http://www.nyu.edu/apr/ferpa.htm>. Mr. Barnett W. Hamberger, Assistant Provost and Director of the Office of Academic Program Review, is responsible for administering FERPA at New York University. His telephone number is 212-998-2310.

### Access to Records

Except as noted below, requests to review records, for copies of the statute or its attendant regulations, or for additional information concerning FERPA should be directed to the Office of Academic Program Review.

Requests for record reviews at the School of Medicine should be directed to:

New York University School of Medicine  
Director of Registration and Student Records  
550 First Avenue, Room 4-44N New  
York, NY 10016

The request should specify what records are to be inspected. Students will be notified when the records are available for inspection.

If a student believes that any of the education records relating to her or him contain information that is inaccurate, misleading, or in violation of her or his rights of privacy, she or he may ask the University to correct or delete such information. The student may also ask that additional explanatory material be inserted in the record.

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Requests for amendment of a record or the addition of explanatory material should be submitted at the conclusion of the record review on form PL 93-3803, available from the appropriate record review officer. The reasons for the request should be set forth on the form and should clearly identify the part of the record the student wants changed and specify why it is inaccurate or misleading. There is no obligation on the part of the University to grant such a request. If the University declines to amend the records as requested by the student, it will so inform the student, and the student may request a hearing. The right to challenge the contents of an educational record may not be used to question substantive educational judgments that have been correctly recorded. For example, a hearing may not be requested to contest the assignment of a grade. Grades given in the course of study include written evaluations that reflect institutional judgment of the quality of a student's academic performance. Information concerning hearing procedures is outlined in the University's FERPA Guidelines.

### **Disclosure of Personally Identifiable Information**

Among other exceptions authorized by FERPA, prior consent of the student is not needed for disclosure of directory information (see next section) or for disclosure to school officials with a legitimate educational interest in access to the student's educational record. School officials having a legitimate educational interest include any University employee acting within the scope of her or his University employment, and any duly appointed agent or representative of the University acting within the scope of his or her appointment. In addition, the University may, at its sole discretion, forward education records to the officials of another institution (a) in which a student seeks or intends to enroll if that institution requests such records, or (b) if the student is enrolled in, or is receiving services from, that institution while she or he is attending NYU. Other exceptions are listed in the University's Guidelines for Compliance with FERPA.

### **Notice Designating Directory Information**

Pursuant to FERPA and the FERPA regulations, New York University hereby designates the following student information as "directory information": name, dates of attendance, NYU school or college, class, previous institution(s) attended, major field of study, full- or part-time status, degree(s) conferred (including dates), honors and awards (including dean's list), and past and present participation in officially recognized activities (including positions held and official statistics related to such participation and performance).

Such information may be disclosed for any purpose, at the discretion of the University, except as provided below. Under federal law, address information, telephone listings, and date and place of birth are also considered directory information for military recruitment purposes. Address refers to "physical mailing address" but not e-mail address.

Currently enrolled students may refuse to permit disclosure of this information. To do so, a student enrolled in any school other than the College of Dentistry, School of Medicine, School of Law, or Stern School of Business—Graduate Division should complete a form requesting nondisclosure at the Office of the University Registrar, 25 West Fourth Street, and submit it to that office. A hold will be placed on the release of directory information filed with the University Registrar, which will remain in effect until the student files a written request to remove it.

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Students in the College of Dentistry, School of Law, School of Medicine, or Stern School of Business—Graduate Division should complete the nondisclosure form available in the Registration Office of the school in which he or she is enrolled. Students in these schools will be informed if they must file a new nondisclosure form each academic year.

If a student does not specifically request the withholding of directory information by filing the appropriate University form, as indicated above, the University assumes that he or she approves of the disclosure of such information. The University disclaims any and all liability for inadvertent disclosure of directory information designated to be withheld.

### **Complaints**

A student who believes there has been a violation of the provisions of FERPA may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S. W., Washington, DC 20202-5920. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA has occurred.