Annual Notice of Rights under FERPA

The Family Educational Rights and Privacy Act (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). These rights include:

- The right to inspect and review the student’s education records within 45 days after the day that Eastern Connecticut State University (“School”) receives a request for access. A student should submit to the registrar, dean, head of the academic department or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school 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 school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

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

  A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

  If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student’s 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.

- The right to provide written consent before the university discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

  The school discloses education records without a student’s prior consent under FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Eastern Connecticut State University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of regents; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Eastern Connecticut State University who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist 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 responsibilities for Eastern Connecticut State University.

Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Eastern Connecticut State 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

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 regulation. Except for the disclosure to school officials, the 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 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 Eastern Connecticut State University 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)(I)(i)(B)(1)-(a)(I)(i)(B)(2) are met.
- To officials of another school where the student seeks or intends to enroll or where the student is already enrolled if the disclosures 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 condition 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.

Eastern Connecticut State University classifies the following data as “directory information”:

- Student name, official address, telephone number, and University issued e-mail address
- School, major(s), minor(s), fields of study
- Participation in officially recognized activities and sports; weight and height of members of athletic teams
- Dates of attendance, degrees and awards received
- The most recent educational agency or institution attended by the student
- Expected date of completion of degree requirements and graduation
- Enrollment status (e.g. full time or part-time, undergraduate or graduate)

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.

The disclosure concerns sex offenders and other individuals required to register under section 17010 of the Violent Crime Control and Law Enforcement Act of 1994.

As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which your education records and 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 may allow access to your records and PII without your consent to any third party designated by 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 and 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 sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

**Directory Information**

The University may disclose without consent directory information. Eastern Connecticut State University identifies directory information to include: Student name, official address, telephone number, and University issued e-mail address; School, major(s), minor(s), fields of study; Participation in officially recognized activities and sports; weight and height of members of athletic teams; Dates of attendance, degrees and awards received; The most recent educational agency or institution attended by the student; Expected date of completion of degree requirements and graduation; Enrollment status (e.g. full time or part-time, undergraduate or graduate.

Students have the right to request that the University not disclose directory information to individuals or organizations outside the University (although we are required to provide information in organizations which have provided the student any type of financial aid, including loans). Students may withhold directory information by notifying the Registrar in writing, using the Request to Opt Out of Directory Information form, within two weeks following the Registrar’s published notice of intent to disclose directory information for the current academic year. Please note that a student’s request to withhold directory information will remain in effect until the time at which a student submits a Request for Revocation of Non-Disclosure of Directory Information form to the Registrar’s Office.

**Disclosure of Student Records**

Students at Eastern Connecticut State University are entitled to control outside access to their education records, including requests for information from their parents, guardians, or others as designated by the student. Students can provide a standing release allowing Eastern Connecticut State University to disclose information to others. The student may complete the Permission to Release Education Record Information form available at the Registrar’s Office.