

Confidentiality of Student Records

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects the confidentiality of student education records. To implement FERPA, the University has formulated and adopted a written institutional policy governing the handling of these records.

The term "education records (http://www.uah.edu/registrar/ferpa/#educational_record)" under FERPA includes generally any record, whether in a printed, handwritten, audio, video, or computer media format, maintained by the University and containing information related to a student in his/her role as a student (<http://www.uah.edu/registrar/ferpa/#student>). Certain records are, however, excluded by FERPA from this broad definition, such as those made by instructional, supervisory, and administrative personnel and kept in their sole possession, those made by campus police, and those made by a physician or other professional medical personnel in connection with treatment of the student.

Under FERPA and University policy, a student has a right of access to his/her education records and may inspect and review the information contained in them. To exercise this right, the student should present a request to the University office where the record is located, and a response will be made no later than 45 days later. In certain cases, a copy of the record may be provided, with a copying fee, as an alternative to actual inspection. Some records are not within this right of review, such as financial information from the student's parents and confidential letters or statements of recommendation where the student has waived the right of access.

A student who believes his/her education records contain information that is inaccurate, misleading, or in violation of his/her privacy rights may bring the matter to the attention of the appropriate records official. If by informal discussion with this official the student does not obtain the corrective action desired, the student will then be entitled to a hearing at which he/she may challenge the objectionable item. Additional information about hearing procedures will be given to the student at that time. The decision of the hearing official or panel shall be final. If the decision is adverse to the student, he/she may insert in the education record an explanatory statement about the disputed item.

A student's privacy interest in the education record is further protected by the rule against unauthorized disclosure. Generally, the University may not, without the student's consent, release the education record or personally identifiable information (http://www.uah.edu/registrar/ferpa/#personally_identifiable_information) in it to other individuals or entities.

Disclosure in certain circumstances, however, is specifically excepted by FERPA from the foregoing rule. These circumstances include disclosure to certain parties—University personnel who have a legitimate educational interest in the information, officials of institutions where the student is seeking to enroll, parties to which the student is applying for financial aid, the parent of a dependent student, etc.; disclosure to comply with a judicial order or lawfully issued subpoena; or disclosure in connection with a health or safety emergency. Under the first exception, "University personnel (http://www.uah.edu/registrar/ferpa/#university_official)" includes any UAH employee, and a "legitimate educational interest (http://www.uah.edu/registrar/ferpa/#legitimate_educational_interest)" means that the employee has a need for access to the record to perform appropriate tasks clearly within the area of responsibility of the employee, to perform a task related to the education or discipline of the student, or to provide a benefit or service relating to the student. Personally identifiable information will be transmitted by the University under these exceptions only upon the condition that the recipient not permit any other party to have access to it without the student's consent.

The University may also release what is called "directory information (http://www.uah.edu/registrar/ferpa/#directory_information)" without obtaining the student's consent. Directory information is limited to the following: the student's name, address (local and permanent), telephone number, e-mail address, date and place of birth, enrollment status (full-time or part time), major field of study, participation in officially recognized activities and sports, dates of attendance, degrees and awards received, the previous educational institution most recently attended, and a photograph of the student. However, a student may prevent the release of even this information, if he/she wishes, by completing a form provided for this purpose in the Office of Student Records.

Any student who believes that his/her rights under FERPA have been violated by the University may notify and request assistance from the Provost and Executive Vice President for Academic Affairs. The student may also file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.