

Family Educational Rights and Privacy Act (FERPA)

Information for Students and Parents

What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) is the federal law that protects the privacy of students' education records.

What are your rights as a student?

The primary rights protected under FERPA are:

- Students' rights to review and inspect their education records within 45 days from the day the University receives a request for access
- Students' rights to have their education records amended or corrected
- Students' rights to control disclosure of certain portions of their education records
- Students' rights to file a complaint with the U.S. Department of Education regarding alleged failures to comply with FERPA. Complaints of alleged violations may be sent to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

For more information, visit the U.S. Department of Education Web site at www.ed.gov/ferpa/.

What are considered education records?

Education records are all records maintained by UTSA about individual students. These records can be in any medium (handwritten, e-mail, print, microfilm, or other formats) maintained by the University.

Public Records...

In accordance with FERPA, UTSA has designated the following categories of information about individual students as public or directory information. This information will be routinely released to any inquirer, unless the student specifically requests that all or part of the following list be withheld:

- Name
- Address and telephone number
- E-mail address
- Date and place of birth
- Major field of study
- Enrollment status
- Dates of attendance (in person or by correspondence, Internet, or other electronic and telecommunications technologies)

- Most recent previous educational agency or institution attended
- Classification
- Degrees, certificates, and awards received
- Date of graduation
- Participation in officially recognized activities and sports
- Physical factors (height and weight) of athletes
- Photographs.

UTSA will honor a student's request to withhold any of the items of public records information listed, but cannot assume responsibility to contact a student for subsequent permission to release the information. Regardless of the effect upon a student, the University assumes no liability for honoring a student's request that such information be withheld. Students wishing to restrict access to some or all public information in their education record must do so through the FERPA/Proxy option in ASAP at <https://asap.utsa.edu>.

The University may disclose research papers and theses authored by the student to interested members of the public.

Private Records...

The following categories of information are considered private, or protected, by UTSA:

- Social Security Number
- UTSA student ID number
- Residency status
- Marital status
- Married name or previous name
- Parents' name and address
- Transfer credits
- Courses completed
- Grades
- Grade point average
- Rank in class
- Current class schedule
- Advisor's name
- Academic status
- Current disciplinary actions

Private records may be released only to the following parties:

- Individual students
- Dean's Office
- University academic departments
- Appropriate school officials who have legitimate educational interests (see definition of "school official" on next page).

What are not considered education records?

The following are not considered education records:

- Personal notes of UTSA faculty and staff
- Employment records (unless employment is contingent on the individual's status as a student)
- Medical and counseling records used solely for treatment
- Campus Security records
- Financial records of a parent or spouse
- Confidential letters and statements of recommendation placed in your record
- Records that contain only information about an individual obtained after the individual was no longer a student at UTSA
- Records of applicants for admission who were denied acceptance or chose not to attend.

Who can request access to your education record?

Under FERPA, prior written consent must be obtained before a student's education record may be disclosed to a third party, unless they are exempted from this provision. Information will be released without your prior written consent to the following groups or individuals:

- Appropriate school officials who have legitimate educational interests ("school official" means a person either: (1) employed by UTSA in an administrative, supervisory, academic, research, or support staff position, (2) serving on a UTSA governing body, (3) under contract to UTSA to perform a special task or service, or (4) who is a student serving in an official capacity for UTSA)
- Representatives of agencies or organizations from which you have received financial aid, including banks or other lending agencies from which you have guaranteed student loans
- Officials of other educational institutions in which you intend to enroll
- Individuals or groups specifically exempted from the prior consent requirement
- Federal and state officials, accrediting organizations, and organizations conducting studies on behalf of UTSA
- Parents of a student who is a dependent for income tax purposes, provided a reasonable effort is made to notify the student in advance
- The alleged victim of a violent crime or nonforcible sex offence may view the final results of the alleged perpetrator's disciplinary proceeding.

Instances in which prior written consent is not required:

- Requests in connection with an emergency, if such information is necessary to protect the health or safety of the student or other person

- Requests in accordance with a lawful subpoena or court order
- Requests for "public records" information, if not restricted by the student
- When the student violates a law or the University's policies governing alcohol or substance abuse, if the student is under the age of 21.

What is Prior Written Consent?

The University must obtain prior written consent from students before disclosing any personally identifiable information from their education records.

The prior written consent must:

- Specify the records to be released
- State the purpose of the disclosure
- Identify the party(ies) to whom disclosure may be made
- Be signed and dated by the student.

Reviewing your education records

Eligible students must be given access to review and inspect their education records. Requests to access your education records must be made in writing and submitted to the Office of the Registrar or to your college dean, department chair, or other appropriate official. For details on how to request access to your records, refer to *UTSA Student Policies* at <http://catalog.utsa.edu/policies/>.

Students may not have access to:

- Parent's financial records (without written consent from the parent)
- Law Enforcement records
- Medical, psychiatric or similar records in connection with the treatment of the student
- Letters or statements of recommendation which were placed in the education record prior to January 1, 1975.

Parents and FERPA

FERPA rights transfer to a student when he or she reaches the age of 18 or attends a postsecondary institution (regardless of age). Parents or guardians may not have access to a student's education record without the written consent of the student.

For questions concerning FERPA,
contact the UTSA Office of the Registrar
Multidisciplinary Sciences Building 2.02.24
Phone: (210) 458-8000 or 1-800-669-0919 (toll free)
Email: onestop@utsa.edu
