



The University of Vermont

Policy V. 2.15.8

Responsible Official: Provost and  
Senior Vice President

Effective Date: May 5, 2016

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# FERPA Rights Disclosure

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## Policy Statement

The University of Vermont respects the privacy of student educational records and complies with the Family Educational Rights and Privacy Act. In accordance with this Act, as amended, this policy communicates students' rights with respect to their educational records as outlined in the Policy Elaboration section of this policy.

## Reason for the Policy

The purpose of this policy is to communicate the rights of students regarding access to, and privacy of their student educational records as provided for in the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended.

## Applicability of the Policy

This policy applies to all University of Vermont students, faculty and staff and school officials.

## Policy Elaboration

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

- The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University 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 University 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 to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Students may write the University official responsible for the record to ask

that it be amended, and should clearly identify the part of the record they want changed and specify why it is inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA. If the University decides not to amend the record as requested by the student, the University will notify the student in writing of the decision and advise the student of his or her 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 prior to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the 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 Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official also may include a volunteer or contractor outside the University who performs an institutional service or function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, or collection agent. 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 responsibility. The University may also disclose education records without consent to officials of another school in which the student seeks or intends to enroll.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Vermont to comply with the requirements of FERPA. The name and address of the office that administers FERPA:

*Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920*

Some information about students is considered “directory information”. The University may publicly share “directory information” unless the student has taken formal action to restrict its release.

A student must formally request the University Registrar to prevent disclosure of directory information, except to school officials with legitimate educational interests and certain others as specified in the regulations. Once filed, this request becomes a permanent part of the student’s record until the student instructs the University, to have the request removed.

## Definitions

*Directory information:* Includes the following student information:

- name
- address
- telephone number
- email address
- dates of attendance
- class
- previous institution (s) attended
- major field of study
- enrollment status
- awards
- honors (including Dean's list)
- degree (s) conferred (including dates)
- past and present participation in officially recognized sports and activities
- physical factors (height, weight of athletes)
- photograph

*Student educational record:* those records, files, documents, and other materials that

- contain information directly related to a student, and
- are maintained by the University of Vermont or by a person acting for the University of Vermont,

The following exclusions apply:

- records maintained by a law enforcement unit of the University of Vermont that were created by that law enforcement unit for the purpose of law enforcement;
- in the case of persons who are employed by the University of Vermont but who are not in attendance at the University, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose;
- instructional, supervisory, and administrative personnel records and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a temporary substitute for the maker of the record; or

records of a student who is eighteen years of age or older, or is attending the University of Vermont, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in

connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

## **Procedures**

Refer to Policy Elaboration for University procedures regarding access to student educational records and directory information.

## **Forms**

None

## **Contacts**

Questions related to the daily operational interpretation of this policy should be directed to the:

Registrar's Office  
(802) 656-2045

The Provost and Senior Vice President is the official responsible for the interpretation and administration of this policy.

## **Related Documents/Policies/Resources**

Code of Student Rights and Responsibilities

<http://www.uvm.edu/policies/student/studentcode.pdf>

Family Educational Rights and Privacy Act (FERPA)

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

## **Effective Date**

Approved by the President May 6, 2016