

# STATE UNIVERSITY OF NEW YORK at OSWEGO

College policy regarding the Family Educational Rights and Privacy Act (FERPA) of 1974  
(also known as the Buckley Amendment)

August 1, 2006

## **I. What is FERPA?**

FERPA is the Family Education Rights and Privacy Act of 1974, which was last amended in 2000. Under the provisions of this act, students have the right to: inspect and review education records(listed below), seek to amend education records, and have some control over the disclosure of information from education records. The privacy and confidentiality of all student records shall be preserved.

## **II. Which Information is involved?**

There are two forms of information involved. Directory and Non-Directory information.

**A. Directory Information-** information that is generally not considered an invasion of privacy if disclosed. This information may be made public unless the student requests, in writing, to the Registrar, that such information be released only upon his/her consent. At Oswego, this information includes:

1. Student's Name
2. Address (including e-mail address)
3. Telephone Number
4. Age and Place of Birth
5. Photographs
6. Major field of study
7. Class Year
8. Dates of Attendance
9. Degrees and Awards Received
10. Most recent previous educational institution attended
11. Expected date of graduation
12. Participation in officially recognized activities/sports
13. Weight and Height of athletes

**B. Non-Directory Information** \_ information that if released would generally be considered an invasion of privacy. This information will not be released without the students written consent, except to those individuals listed in the Exceptions section, listed below. This includes, but is not limited to:

1. Student Social Security Number
2. Grades
3. Date or place of birth
4. Class Schedule
5. Health Records
6. Judicial Records
7. Financial Records
8. Counseling Records

No entry may be made on a student's academic record and no document may be placed in his/her file without actual notice to the student. Publication of grades and announcements of honors constitute notice.

No University record may be made in direct relation to any of the following matters except upon the expressed written request of the student:

- A. Social and political views; and
- B. Membership in any organization other than honorary and professional organizations directly related to the educational process.

Upon graduation or withdrawal from the University, the education records and information concerning former students shall continue to be subject to the provisions of this Code.

### **III. Which Information Can a Student Not See?**

The following records are not available for student inspection:

- A.** Records of instructional, supervisory and administrative personnel which are in the sole possession of the maker thereof, and which are not accessible to other persons.
- B.** Records created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional which are used only in connection with the provisions of treatment of a student, and are not available to persons other than those individuals providing such treatment.
- C.** Records and documents of a law enforcement unit, including those of the Department of University Police, except those available under the Freedom of Information Act.
- D.** Financial records of student's parents.
- E.** Confidential letters and statements of recommendation placed in a student's file prior to January 1, 1975, or those received after January 1, 1975, for which the student has signed a waiver of his/her right to access, provided these letters are used only for the purposes for which they are intended.

### **IV. What are the Exceptions?**

Information in a student's educational records will not be released to third parties without the student's written consent, except as indicated below:

- A.** Officials of the University, including instructional staff, who have legitimate educational interests.
- B.** Officials of other schools in which the student seeks to enroll.
- C.** Accrediting organizations.
- D.** Federal and State educational authorities and organizations conducting studies for such authorities in the areas of testing, student aid, and instruction.
- E.** Those individuals who seek information pursuant to a judicial order or subpoena.
- F.** Appropriate persons in connection with an emergency involving the health or safety of individuals.
- G.** Parents or legal guardians of students who are under the age of 21 and who have been found in violation of University disciplinary policies (Code of Student Rights, Responsibilities and Conduct) with respect to any violation of any Federal, State, or local law, or of any rule or policy of the institution governing the use or possession of alcohol or a controlled substance.
- H.** A college official is a person employed by the college serving in an instructional, research, advisement, administrative, supervisory, or support staff (including Campus Police and Student Health) role as designated by employee performance programs or college policy; a person or company with whom the college has contracted as its agent to provide a service instead of using college employees or officials (such as an attorney, auditor or collection agent); a person serving on the Board of Trustees; or a student serving on an official college committee such as a disciplinary or grievance committee, or assisting another college official in performing his or her tasks. A college 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 the College.

### **V. Where are Records Maintained?**

Official student academic records, supporting documents, and other student files shall be maintained only by members of the University staff employed for that purpose. Separate files shall be maintained of the following educational records:

- A.** Academic records, supporting documents, and general education records -maintained by the Registrar, academic departments and advisors, and the Deans' offices;
- B.** Records of disciplinary proceedings-maintained by the Vice President for Student Affairs or his/her designee;
- C.** Financial records-maintained by the Business Office;
- D.** Medical records -maintained by the Health Center;
- E.** Financial aid records -maintained by the Office of Student Financial Aid;
- F.** Placement records -maintained by the Career Services Office;
- G.** Counseling records-maintained by the Counseling Services Center;
- H.** Incident reports -maintained by the Department of University Police.

All such records are the property of the University.

### **VI. Who to contact in case of questions?**

The college's Records Access Officer: Julie Harrison Blissert, Room 210 Culkin Hall, 312-2265.