PRIVACY RIGHTS OF STUDENTS IN EDUCATION RECORDS

The federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) and regulations adopted thereunder (34 C.F.R. 99) set out requirements designed to protect students’ privacy in their records maintained by the campus. The statute and regulations govern access to certain student records maintained by the campus, and the release of such records. The law provides that the campus must give students access to most records directly related to the student, and must also provide an opportunity for a hearing to challenge the records, if the student claims they are inaccurate, misleading, or otherwise inappropriate. The right to a hearing under this law does not include any right to challenge the appropriateness of a grade determined by the instructor. The law generally requires the institution to receive a student’s written consent before releasing personally identifiable data about the student. The institution has adopted a set of policies and procedures governing implementation of the statute and the regulations. Copies of these policies and procedures may be obtained on the web at [http://www.sfsu.edu/~admisrec/reg/ferpa.html](http://www.sfsu.edu/~admisrec/reg/ferpa.html) or in the Registrar’s Office. Among the types of information included in the campus statement of policies and procedures are:

1. the types of student records maintained and the information they contain;
2. the official responsible for maintaining each type of record;
3. the location of access lists indicating persons requesting or receiving information from the record;
4. policies for reviewing and expunging records;
5. student access rights to their records;
6. the procedures for challenging the content of student records;
7. the cost to be charged for reproducing copies of records; and
8. the right of the student to file a complaint with the Department of Education.

The Department of Education has established an office and review board to investigate complaints and adjudicate violations.

The designated office is:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202–5920

The campus is authorized under the Act to release “directory information” concerning students. San Francisco State University policy is more restrictive than the Federal and State Act and limits directory information to the student’s name, current enrollment status (e.g., undergraduate or graduate, full-time or part-time), class level, major, degrees earned, semesters of enrollment, and extra-curricular achievements. The above designated information is subject to release by the campus at any time unless the campus has received prior written objection from the student specifying what information the student requests not be released. Written objections should be sent to the registrar.

A student can request that non-directory information (including address) be released to agencies of the State of California when requested for employment recruitment purposes under the provisions of Assembly Bill 771 (Chacon). Written requests to release non-directory information should be directed to the registrar. Forms are available for this purpose at the One Stop Student Services Center.

The campus is authorized to provide access to student records to campus officials and employees who have legitimate educational interests in such access. These persons have responsibilities in the campus’ academic, administrative, or service functions and have reason for accessing student records associated with their campus or other related academic responsibilities. Student records will be disclosed to the Chancellor’s Office of the California State University in order to conduct research, to analyze trends, or to provide other administrative services on behalf of the CSU. Student records may also be disclosed to other persons or organizations under certain conditions (e.g., as part of the accreditation or program evaluation; in response to a court order or subpoena; in connection with financial aid; or to other institutions to which the student is transferring).

In addition to those safeguards provided by the Family Education Rights and Privacy Act of 1974, the university’s policy allows the release of personally identifiable information to others (except to verify student status) only with the student’s prior consent or in the case of extreme emergency or where there is clear and imminent danger to the student, to others, or to society.