FERPA AT A GLANCE: A GUIDE FOR STUDENTS

Overview:
The Family Educational Rights and Privacy Act (also known as FERPA or the Buckley Amendment) is federal legislation enacted in 1974 that protects the privacy of student records. It grants students the right to access their own educational records as well as limiting, for privacy reasons, the release of those same records to anyone other than the student and/or the student’s designee. FERPA applies to all current and former students of the University.

What are your rights under FERPA?
Under FERPA, you have the right to:

- Inspect and review your education records
- Have some control over the disclosure of information from your education records
- Seek to amend your education records under certain circumstances

When do your FERPA rights begin?
Your FERPA rights begin when you register and attend your first class.

What are education records?
Education records are defined as records that contain information directly related to a student and are maintained by an educational institution or by a party acting for the institution. Examples are enrollment and grade records, applications for university scholarships, financial aid records, bursar records, and information contained in the student information system.

Education records do not include sole possession documents (such as personal notes or “memory joggers” created and maintained by individual faculty or staff), law enforcement records, employment records where employment is not tied to student status, medical records, and records containing information about an individual that are created after he or she is no longer a student at that institution (i.e., alumni records).

Education records can exist in any medium, including typed copy, computer-generated copy, videotape, audiotape, film, microfilm, microfiche, and email, among others.

Who has access to your education records?
Education records may be accessed by those to whom you have given express written permission or appropriate school officials such as university administrators, faculty members, and staff members who have a “legitimate educational interest” in you as a student. In general, a school official has a “legitimate educational interest” if he or she needs to review an education record in order to fulfill his or her professional responsibility to the university.

FERPA protects the privacy of education records. School officials may not disclose personally identifiable information about students or permit inspection of their records without written permission from the student, unless such action is covered by certain exceptions permitted by FERPA.
Do your parents have access to your education records?
At the elementary and secondary school level, FERPA gives parents the right to access education records. When a student reaches 18 years of age or is attending an institution of post-secondary education, FERPA rights transfer from parent to student. Therefore, at the post-secondary (college) level, parents have no legal rights to inspect their son’s or daughter’s education records.

Information regarding education records is best obtained by direct communication between the parent and the student. If desired, students may grant view-only access to their billing accounts and financial aid information through MyNewSchool. Students can also grant access to their parents and family members via the parent portal to view the following information:

- Student status: major (if applicable), minor (if applicable), and number of credits
- Class schedule
- GPA

Does your spouse have access to your educational record?
A student’s spouse has no rights under FERPA to access the student’s education records. If desired, students may grant view-only access to their billing accounts and financial aid information through MyNewSchool. Students can also grant access to their family members via the parent portal to view the following information:

- Student status: major (if applicable), minor (if applicable), and number of credits
- Class schedule

What is considered directory information?
The New School has designated the following as directory information and the Registrar’s office may release it unless the student has submitted a Request to Withhold Disclosure of Directory Information with the Office of the University Registrar:

- Student name
- Major field of study
- Dates of attendance
- Full-time or part-time enrollment status
- Year level
- Degrees and awards received, including naming to the Dean’s List
- The most recent previous educational agency or institution attended
- Addresses, phone numbers, photographs, and email addresses
- Date and place of birth

Can you request that your directory information not be released?
According to FERPA, a student can request, while still enrolled, that the institution not release directory information about him or her. Institutions must comply with this request. At The New School, students who wish to restrict the release of directory information about themselves must do so by filling out the Request to Restrict Directory Information by visiting the Registrar’s Office at 72 Fifth Avenue, 2nd floor.
Students who wish to restrict directory information should realize that this action could have negative consequences. The names of students who have restricted their directory information will not appear in the Commencement program and other college publications. Also, employers, loan agencies, external scholarship committees, and others will be denied any directory information and will be told, “We have no information about that person.”

What happens during crisis situations and emergencies?
If non-directory information is needed to resolve a crisis or emergency situation, an educational institution may release that information if the institution determines that the information is “necessary to protect the health or safety of the student or other individuals.”

To whom can you direct any questions?
General questions can be directed to the Registrar’s office, or reghelp@newschool.edu.