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FERPA

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

In accordance with the Federal Family Educational Rights and Privacy Act of 1974 and campus procedures implementing the University of California Policies Applying to the Disclosure of Information from Student Records, students at the UC Merced campus of the University have the following rights:

1. The right to inspect and review their own student records within 45 days of the date the University receives a written request for access. Students should submit their requests in writing to the University registrar, dean, or other appropriate campus official for the office having custody of the requested records. The request must identify the record(s) they wish to inspect and review. The campus 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 official receiving the request, that official shall advise the student of the correct official and redirect the request.

2. The right to request the amendment of their own student records if a student believes the records are inaccurate or misleading. Students should submit a written request to amend a record that they believe is inaccurate or misleading to the campus official responsible for the record, clearly identifying the portion of the record they want changed, and specifying why it is believed to be inaccurate or misleading. If the University determines that the record should not be amended as requested by the student, the University will notify the student of the decision and advise him/her of the 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.

3. The right to consent to disclosures of personally identifiable information contained in their student records, except to the extent that law and policy authorize disclosure without consent.

One exception permitting disclosure without consent is disclosure to campus officials having a legitimate educational interest in the records. A campus official is any individual designated by the campus to perform an assigned function on behalf of the campus. Legitimate educational interest means a demonstrated need to know by officials who act in a student's educational interest. A campus official has a "legitimate educational interest" in a record if the official is performing a task

(1) specified in his or her job description;
(2) specifically related to the official's participation in the student's education;
(3) specifically related to the discipline of a student; or
(4) specifically related to providing a service or benefit associated with a student or student's family, such as health care, counseling, job placement or financial aid.

Another exception permitting disclosure without consent is Directory (or public) Information, defined as information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed, unless the student has notified the Office of the Registrar that such information is to be treated as confidential with respect to him/herself. UC Merced has designated as public the following categories of information regarding students: the student's name, local address(es) and telephone number(s); UC Merced e-mail address; major field of study; dates of attendance; enrollment status (full-time, part-time); degrees and awards received; participation in officially recognized activities; and photographs. Parental/guardian information is confidential. It is used by the University only for notification of events, ceremonies, awards and development or in case of an emergency involving the student.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UC Merced to comply with the requirements of the Federal Educational Rights and Privacy Act, addressed to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW., Washington, D.C. 20202-4605

Questions about these rights should be referred to the Registrar at UC Merced.

Students who desire to withhold all information (including address, phone number and UC Merced e-mail address) from the category of public information must file a form in the Office of the Registrar by the tenth day of instruction. If a student does not choose this option, this information may be released and the student's local address, phone number and UC Merced e-mail address will be included in the campus student directory.

Students availing themselves of this right should understand what the consequences of such action might be. For example, if all information is designated nonpublic information, the campus cannot make public any Honors received by the student and cannot include the student's name and degree earned in the campus commencement program without the student's written consent. Similarly, if all information is designated non-public information, the student's status as a student or any degrees earned cannot be verified for potential employers without the student's written consent.