What is FERPA?
FERPA is the Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment. Statute: 20 U.S.C. 1232g; Regulations: 34CFR Part 99. The intent of the Act is to protect the rights of students and to insure the privacy and accuracy of education records. The Act applies to all institutions that are recipients of federal aid administered by the Secretary of Education.

What rights does FERPA afford students with respect to their education records?
• The right to inspect and review their education records.
• The right to request an amendment to the ir education records that they believe are inaccurate or misleading.
• The right to consent to disclosures of personally identifiable information contained in their education records, except to the extent that FERPA authorizes disclosure without consent.
• The right to file a complaint with the United States Department of Education concerning alleged failures by the University to comply with FERPA.

When is the student's written consent not required to disclose information?
When the disclosure is:
• to the student;
• to school officials who have a legitimate educational interest;
• to federal, state, and local authorities involving an audit or evaluation of compliance with educational programs;
• in connection with financial aid;
• to organizations conducting studies on behalf of educational institutions;
• to accrediting organizations;
• to parents of dependent students;
• to comply with a judicial order or subpoena;
• in a health or safety emergency;
• releasing directory information;
• to a parent of a student under the age of twenty-one who has violated University regulations pertaining to the use or possession of alcohol or a controlled substance; and
• releasing the results of a disciplinary hearing to an alleged victim of a crime of violence;
• releasing the results of a disciplinary hearing related to a crime of violence to anyone, when the student is found to have committed a violation of the University’s rules or policies.

What is considered an education record?
An “education record” is any record that is:
(1) directly related to a student; and
(2) maintained by an educational agency or institution, or by a party acting for the agency or institution.
This includes any information recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

What is not considered an education record?
• Sole possession records or private notes held by a school official that are not accessible or released to other personnel;
• law enforcement or campus security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit;
• records relating to individuals who are employed by the institution (unless the employment is contingent on their status as a student);
• records relating to treatment provided by a physician, psychiatrist, psychologist; or other recognized professional and disclosed only to individuals providing treatment; and
• records of an institution that contain information about an individual obtained only after that person is no longer a student at that institution, i.e., alumni records.

What is Directory Information?
FERPA allows the University to define certain kinds of information as “Directory Information.” Directory Information may be released to third parties without the consent of the student, unless the student submits a signed, written request to the Office of the University Registrar (UREG) to restrict its release. At UVA, Directory Information includes the items listed below.
• student name
• year of birth
• major field of study
• school of enrollment
• location of attendance
• full-time/part-time status
• level and year in school
• medical residency placement
• expected graduation date
• participation in officially-recognized activities and sports
• dates of attendance
• candidacy for degree
• degrees, honors, scholarships, and awards received
• any unique identifying number created for the purpose of compiling, releasing, or transmitting Directory Information
Who is a school official and what is considered a legitimate educational interest?

- School officials are those individuals who engage in the instructional, supervisory, advisory, administrative, governance, public safety, and support functions of the University. They need not necessarily be paid employees of the University.
- Legitimate educational interest is when a school official requires a student's educational record in the course of performing their duties for the University.

How does FERPA apply to parents of students pursuing postsecondary education at UVA?

- FERPA rights transfer to the student (referred to as ‘eligible student’) when they reach the age of 18 or attends a postsecondary institution. Therefore, the student, and not the parent, may access, seek to amend, and consent to disclosures of their education records.

How does UVA notify students of their FERPA rights?

- UVA notifies students each fall by email of their rights under FERPA, in particular, their right to restrict access to their directory information. Information about FERPA is also published in the Undergraduate Record and Graduate Record both of which are available on the UREG website (www.virginia.edu/registrar).

If I have questions, who should I contact?
Office of the University Registrar (UREG)
Carruthers Hall, 1001 N. Emmet St.
Phone (434) 924-4122
ureg@virginia.edu

More information on FERPA may be found on the web at:
www.virginia.edu/registrar/privacyact.html
www.ed.gov/policy/gen/guid/ferpa

The Family Educational Rights and Privacy Act and the University of Virginia