

# FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

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Texas A&M University-Texarkana encourages students to exercise all of their rights under the Family Educational Rights and Privacy Act (20 U.S.C. 1232g) (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/>). Operating under the premise that the educational process is a cooperative venture between a student and the University.

All the rights and protections given students under FERPA belong to the student, however, information in student records may be provided to parents/legal guardians without the written consent of the student if the eligible student is a financial dependent of his or her parents/legal guardians as defined under Section 152 of the Internal Revenue Code of 1986.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of FERPA. The name and address of the office that administers FERPA is Family Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605.

## Statement of Rights

Texas A&M University-Texarkana encourages students to exercise all of their rights under the Family Educational Rights and Privacy Act (20 U.S.C. 1232g) (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/>). Operating under the premise that the educational process is a cooperative venture between a student and the University, we emphasize the following rights of eligible students:

1. The right to inspect and review, with certain limited expectations, the student's educational records within 45 days of the day the university receives a request for access. This shall include the right to receive explanations and interpretations of the records and to obtain copies of the records when such are needed to allow the student to effectively exercise his/her right of inspection and review. Students should submit to the Registrar's Office a written request that identify the records they wish to inspect. The Registrar's Office will make arrangements for access and notify the student of the time and place where he or she may inspect the records. If the Registrar's Office does not maintain the records, he or she shall advise the student of the correct official to whom the student should address the request.
2. The right to request the amendment of the student's education records that the student believes is inaccurate. Students may ask the university to amend a record that they believe is inaccurate. Students should submit to the Registrar's Office a written request that clearly identifies the part of the record they want changed, and specify why it is inaccurate. If the university decides not to amend the record as the student requested, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. The university will provide additional information regarding the hearing procedures when officials notify the student of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.  
One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person or entity: (a) employed by the university or the university system in an administrative, supervisory, academic, research, or support-staff position (including law-enforcement personnel and health staff); (b) serving on a university governing body or duly authorized panel or committee; or (c) employed by or under contract to the university to perform a special task, function, or service for the university.
  - a. A school official has a legitimate educational interest if the information requested is necessary for that official to (a) perform appropriate tasks that are specified in his/her position description or in the performance of regularly assigned duties by a lawful supervisor; (b) fulfill the terms of a contractual agreement; (c) perform a task related to a student's education; (d) perform a task related to the discipline of a student; or (e) provide a service or benefit relating to the student or student's family, such as health care, financial aid, job placement, or former student-related activities. Disclosure to a school official having a legitimate educational interest does not constitute university authorization to transmit, share, or disclose any or all information received to third parties unless such disclosure is permitted or required by law
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Texas A&M University-Texarkana to comply with the requirements of FERPA.

## Certification of Dependency

Under provisions of the Family Educational Rights and Privacy Act (FERPA), students enrolled in post-secondary educational institutions are deemed to "own" their educational records. Institutions may, but are not required to, grant access to certain non-directory information in a student's educational record if the student is claimed as a dependent on his or her parent's/guardian's federal income tax return. Generally non-directory information will not be released to a parent or guardian unless a Certification of Dependency Form is completed and signed by the parent(s)/guardian(s) and the student and is submitted to the Office of the Registrar.

## Directory Information

In compliance with the **Family Educational Rights and Privacy Act of 1974 (FERPA)**, Texas A&M University-Texarkana gives notice that the information listed below is considered **directory information** and will be released upon request.

Any student who objects to the release of the directory information on file in his or her name must notify the Registrar's Office in writing by submitting the "Request to Prevent Disclosure of Directory Information (<https://it-lf-ecmf2.ads.tamu.edu/Forms/Cv5h5/>)" form that he or she does not wish to have such information released. This request will be honored, and all of the information will be held confidential.

- Students full name
- Addresses- local, permanent
- University email
- Telephone listings- both local and permanent
- Date and place of birth
- Major field of study
- Participation in officially recognized activities and sports
- Photograph
- Dates of Attendance
- Degrees and awards received
- Full or part time status
- Enrollment status (Undergraduate, Graduate, classification, etc)
- Most recent previous educational agency or institution attended

Texas A&M University-Texarkana and the Office of the Registrar will exercise discretion in the release of all directory information.

## Release of Student Academic Records

The university must receive written authorization from the student to release a student's academic record. The university will not accept phone requests. The student may come to the registrar's office in person to complete the appropriate request form, may mail or fax a written request to the registrar's office, or access *Web for Students*. The student must date the requests, and the student must provide his or her ID number. If the university must mail the transcript to a third party, the student must provide the name and address of the party. If the student sends a third party to obtain a transcript, the party must present a signed statement authorizing the release to the designated person.

The Office of Admissions personnel will verify the request and will generate an official transcript. Note: A minimum production time of 24 hours exists on all official-transcript requests.

The computer generates the official transcript on maroon security paper. The registrar validates the transcript with his or her signature, date, and university seal. When an official issues a transcript to the student, he or she stamps the transcript "Issued to Student." Transcripts printed on plain white paper are unofficial.

## Release of Information to a Third Party

Third party, in this case, refers to a Veteran's Administration official, a government agent, a Department of Immigration official, etc., who presents a signed release and asks to see a student's academic record. The Office of the Registrar's staff will examine the release and make a copy, then allow the investigator to examine the record. The staff person will complete the appropriate form documenting the situation and attach it to the copy of the release. The Office of the Registrar will retain a copy of both the form and the release in the student's file.

## Release of Transcripts from Other Schools

A student may obtain an unofficial copy of his transcript from a previous school by coming to the registrar's office in person and completing the appropriate request form. The Office of the Registrar will honor requests sent via mail provided the student includes the date, the student's ID number, and the student's signature. The registrar's office will provide transcripts to the student only. The university will not release or send transcripts to a third party. The registrar's office stamps each transcript "Issued to Student" and "Unofficial Transcript." The transcripts are not certified or validated in any way.

## Release of Records to Faculty or Staff

Designated school officials, administrative officers, and faculty and staff within the institution may have access to student academic records provided they have legitimate educational interests such as advising or other educational concerns. The official must complete a request to view education records, and the registrar's office maintains a record in the student's registrar file to document who reviewed the record and the purpose. The registrar's office stamps copies of student transcripts provided to school officials "unofficial," and officials should not release the transcripts to students or third parties.