

## **Student Privacy and FERPA Policy**

Accommodations for individuals with disabilities in accessing these policies are available upon request by emailing [accessiblepolicy@wcupa.edu](mailto:accessiblepolicy@wcupa.edu)

### **Purpose and Scope**

West Chester University is committed to protecting the privacy of its students and to maintaining the confidentiality of student education records. 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. This policy outlines how West Chester University defines the student record, proper access to records, and compliance responsibilities.

### **Policy Statement**

West Chester University is committed to protecting the privacy of student education records in accordance with FERPA.

### **Policy Framework**

The following is West Chester University's FERPA policy and policy framework which outlines how the University defines student records, proper access and use of student records, and faculty, staff, student compliance responsibilities.

### **Students at West Chester University are afforded the following rights regarding their education records:**

1. The Right to inspect and review their education records within 45 days from the date the University receives the student's request for access.

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The Registrar has been designated by the University to coordinate the inspection and review procedures of student education records. Students must submit a written request to the Office of the Registrar identifying the item or items of their record they wish to inspect. The Registrar's Office will contact the student as soon as possible, but no later than 45 days from the date the request was received, to arrange a time and place for the student to inspect the requested records. At the time of inspection, the student will be required to show photo identification and must inspect the records in the presence of a representative from the Office of the Registrar

2. The right to request an amendment to their education records, if he or she believes the record contains inaccurate or misleading information.

If a student believes their education record contains information that is inaccurate, misleading, or is otherwise in violation of their privacy rights, the student may request in writing that their record be changed. Students seeking a change of grade should refer to the Grade Appeal policy. The written request must clearly identify the part of the record the student wants amended and must specify why the record is inaccurate or misleading. If the Registrar agrees with the student's request, the appropriate records will be amended. If the Registrar decides not to amend the record, the student will be notified of the decision, within a reasonable period of time, and the student will be advised of their right to a formal hearing.

Student requests for a formal hearing to contest the Registrar's decision must be made, in writing, to the Associate Provost. A hearing committee will

be appointed and the student will be notified of the date, time and place of their hearing. The student may present evidence relevant to the issues raised and may be assisted or represented by one or more individuals of their choice, including an attorney, at their own expense. Decisions of the hearing committee, which will be based solely on the evidence presented at the hearing, will be final. Following the hearing, the committee will provide their written decision and a summary of the hearing to the concerned parties. If the decision is in favor of the student, their education record will be amended accordingly.

Students who are dissatisfied with the result of their hearing may place in their education record an explanatory statement commenting on the information that was under review. The explanatory statement will be maintained as part of the students' education record and will be released when the records in question are disclosed.

3. The right to provide consent prior to the disclosure of personally identifiable information contained in their education records.

No one outside the university shall have access to, nor will the university disclose, any information from students' education records without the students' prior written consent, except to the extent permitted under FERPA. (See "**WCU Use of Student Directory Information**".)

FERPA does establish several exceptions that allow the university to disclose student education records without prior consent. Some of these exceptions include:

- To school officials with a legitimate educational interest. A school official is a person employed by West Chester University in an administrative, academic, research, or support staff position (including law enforcement unit personnel and health staff); members of the board of trustees; third-parties acting on behalf of the university; or individuals, including

students, serving on university committees. School officials are considered to have a legitimate educational interest if the student education information is necessary in order for that official to: complete a task specific to their job description/contract, perform a task related to a student's education, perform a task related to the discipline of a student, or provide a service or benefit relating to a student.

- To comply with a judicial order or lawfully issued subpoena. The university will make an effort to notify the student in writing prior to disclosing information, unless directed otherwise by the order or subpoena.
  - To persons or organizations providing the student financial aid, or who determine financial aid decisions concerning eligibility, amount, conditions and terms of the financial aid.
  - To appropriate parties in a health or safety emergency.
4. The right to file a complaint with the United States Department of Education concerning alleged failures by West Chester University concerning alleged failures by West Chester University to comply with the requirements of FERPA.

FERPA is administered by the Family Policy Compliance Office. Student complaints can be sent to:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605

### **Additional Policy Provisions**

For the purposes of this policy, the term “student” refers to any individual who has secured admission to the University in the form of a deposit, has enrolled in a

course, has completed a non-degree application, or any individual who has previously attended West Chester University. The term “education records” refers to any records directly related to a student, with certain exceptions, that are maintained by the university or its agents. These records include but are not limited to grades, transcripts, class lists, student course schedules, student financial information, student identification card photo, and student discipline files.

For the purposes of record inspection and release, the University reserves the right to redact records so that personally identifiable information pertaining to other students can be removed. Pursuant to a subpoena or record request, student records shall be reviewed for all personally identifiable information related to students that are not named as part of the subpoena or request. Once identified, this information shall be redacted to ensure protection of student information as provided by FERPA.

It is the policy of West Chester University that no records of deceased students be released to third parties, unless specifically authorized by the executor of the deceased's estate or in response to a validly issued subpoena.

### **WCU Use of Directory Information**

Directory information is information contained in your education record that generally would not be considered harmful or an invasion of privacy if disclosed.

Under FERPA, West Chester University may release the following categories of information without students' prior consent:

- Student's name
- Local and permanent address
- Telephone number
- WCU email address, which includes WCU student ID number
- Date and place of birth

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- Major field of study
- Dates of attendance
- Enrollment status
- Expected graduation date
- Degrees, awards, and honors received
- Most recent previous educational agency or institution attended by the student
- Participation in officially recognized activities and sports
- Weight and height, if a member of an athletic team

The University will limit information that is made public to categories such as these but will not necessarily publish all such information in every listing.

West Chester University does not make directory information generally available to the public. West Chester University limits its release of directory information for official University purposes, such as: identifying athletic team members, publishing names of scholarship recipients, graduation lists and Dean's Lists, issuing academic awards, verifying enrollment or degree status, and providing such information to faculty and/or staff as pertains to their job responsibilities or with whom the University has a contractual relationship. West Chester University's Office of Commuter Services does provide local municipalities' Department of Building, Housing, and Codes Enforcement with student's enrollment status. West Chester University's Office of Public Safety will release the names, local address, permanent address, and date of birth for enrolled students to local municipality Police upon request.

Staff, faculty, student employees, and others with whom the University has a contractual relationship are not permitted to use or disclose student's directory information for purposes other than those pertaining to their job responsibilities.

Release of directory information may not be performed by anyone not authorized to do so.

Undergraduate and Graduate students who do not wish to have their directory information published, without their prior consent, must submit a Non-Disclosure of Directory Information Request form to the Office of the Registrar. Forms must be submitted within the first 15 calendar days of the semester. Once a student restricts the release of their directory information, the restriction will remain in effect until the student makes a written request to the Office of the Registrar to reverse the non-disclosure restriction.

The policy framework should outline high-level mandatory processes and practices that are required to implement and comply with the policy.

### **Procedures**

Students seeking to review their academic records may contact the Registrar's Office at [registrar@wcupa.edu](mailto:registrar@wcupa.edu).

Students are notified of their FERPA rights during their start of term activities in myWCU at the start of each term for which they are registered for classes.

Faculty and staff working on managing student records and ensuring student privacy are required to complete FERPA training. Training access and student privacy tools can be found on the Registrar's website: <https://www.wcupa.edu/registrar/privacy.aspx>

Faculty and staff are encouraged to reach out to the Registrar's Office at [ferpa@wcupa.edu](mailto:ferpa@wcupa.edu) with any questions regarding the student record, student privacy or the University's FERPA policy.

## Definitions

For the purposes of this policy, the term student refers to any individual who has secured admission to the University in the form of a deposit, has enrolled in a course, has completed a non-degree application, or any individual who has previously attended West Chester University.

The term education records refers to any records directly related to a student, with certain exceptions, that are maintained by the university or its agents. These records include but are not limited to grades, transcripts, class lists, student course schedules, student financial information, student identification card photo, and student discipline files.

## References

[Family Educational Rights and Privacy Act of 1974 \(FERPA\)](#)

**Reviewed by:** Registrar's Office, Office of Student Conduct.

**Policy Owner:** Megan Jerabek, Senior Associate Vice President and University Registrar

## Approved by:



Jeffery L. Osgood, Jr., Ph.D.

Deputy Provost and Vice President of Academic Operations

February 2, 2020.

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