ACADEMIC RECORDS AND RELATED POLICIES

Family Educational Rights and Privacy Act (FERPA)

The University maintains an official academic record in the Office of the Registrar for each student. This record contains all completed course work, grades, grade-point averages, and notes on the student's academic status. Access to academic records is allowed in accordance with the Family Educational Rights and Privacy Act (FERPA) as amended in 1974. Procedures for student access to the academic record are published annually in the Student Handbook.

Directory Information

The University may release "Directory Information" as defined by the University of Mary Washington under the authority of FERPA, unless the student informs the University's Office of the Registrar that all such information should not be released without the student's prior consent. A form is available for this purpose from the Office of the Registrar. If this form is not received in the Office of the Registrar by May 1 preceding the academic year, selected "Directory Information" will appear in the University's directory.

"Directory Information" includes a student's name, campus mailbox, student's email address, class level, previous institution(s) attended, major fields of study, awards, honors (including Dean's List and President's List), degree(s) conferred (including dates), dates of attendance, past and present participation in officially recognized sports and activities, and physical factors (e.g., height, weight of athletes). A request to withhold "Directory Information" must be made on a form available in the Office of the Registrar. ***In accordance with Code of Virginia §23.1-405(C), UMW will not disclose the address, telephone number, or email address of a student pursuant to 34 C.F.R. §99.31(a)(11) or the Virginia Freedom of Information Act (§2.2-3700 (https://law.lis.virginia.gov/vacode/2.2-3700/) et seq.) unless the student has affirmatively consented in writing to such disclosure."***

The request to restrict the release of "Directory Information" remains in effect until the student notifies the Office of the Registrar, in writing, to remove the restriction. A restriction on the release of "Directory Information" will remain in effect even if the individual is no longer a student, unless the restriction is removed by written request made to the Office of the Registrar.

Medical and Psychological Services Center records are not included in that category of records open to inspection; however, such records may be personally reviewed by a physician or other appropriate professional of the student's choice.

Confidential records maintained by the Director of Disability Resources are open to inspection with limitations. Students may request a copy of disability documentation which is generated by the office, but may not request access to the Director's personal notes or test protocols or to information released by private practitioners or by other agencies. Disclosure related to the student's disability is released neither to any faculty member nor to another office on campus without the student's permission. With the student's written permission, disability documentation generated by the Office of Disability Resources may be released to any specified persons and agencies.

Custodians of educational records are not required to give access to financial records of parents or any information contained therein, nor are they required to give access to confidential letters and statements of recommendation that were placed in the educational records prior to January 1, 1975, or to which the student has waived the right of access. "Directory Information" may not be provided to any individual, company or entity for commercial purposes unless the release of this information is specifically authorized by the student or approved in writing by the Office of the Registrar.

Education Records

Educational records are those records directly related to a student and maintained by the institution or by a party acting for the institution.

The permanent academic record, which is maintained by the Registrar, contains all completed course work, grades, grade-point average, and notes on the student's academic status. The student's application file, which contains the student's application and accompanying transcripts, is maintained for five years following the student's last date of enrollment.

FERPA affords students certain rights with respect to their education records. Online learning creates a record of student activity; therefore, it is subject to FERPA privacy rights unlike verbal exchanges in a physical classroom. Distance education courses are covered by to FERPA in the same manner as any other courses.

Students have the right to inspect and review education records within 45 days of the day the University receives a request for access. Students do not have the right to copies of those records. Students should submit to the Registrar written requests that identify the record(s) they wish to inspect. The Registrar or appropriate University 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 Registrar, the Registrar shall advise the student of the correct official to whom the request should be addressed.

Students have the right to request the amendment of the student's education records that the student believes are inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested, the University will notify the student of the decision and advise the student of their 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.

Students have 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 employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on a disciplinary or grievance committee, or assisting another school official in performing their tasks. A school

official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

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 are:

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

The University will not permit access to, or the release of, educational records without the consent of the student or eligible parent or legal guardian to anyone other than the following:

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

The University will not permit access to, or the release of, educational records without the consent of the student or eligible parent or legal guardian to anyone other than the following:

1. University officials who, in order to perform their duties properly, must have access to official records;
2. Officials pursuant to their statutory responsibilities (the Comptroller General of the United States, the Secretary of Education, the Commissioner, the Director of the National Institute of Education or the Assistant Secretary for Education, and/or state educational authorities);
3. Any party legitimately connected with a student's application for, or receipt of, financial aid;
4. State and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to state statute adopted prior to November 19, 1974;
5. Accrediting organizations, for the purpose of carrying out their accrediting functions;
6. Parents of dependent students as defined in section 152 of the Internal Revenue Code of 1954;
7. Parties acting under authority of a judicial order or pursuant to any lawfully issued subpoena, upon condition that the students are notified of all such orders or subpoenas in advance of the compliance therewith by the educational institution;
8. Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.