

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT
Annual Notification

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The 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 University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that are believed to be inaccurate or misleading. The student 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 by the student, the University will notify the student in writing of the decision and advise the student of his or her right to a hearing regarding the request for an 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 the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The University discloses education records without a student's prior written consent under the FERPA exception for 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); the University attorney; appropriate community safety and emergency personnel to whom information regarding students is to be provided pursuant to KRS 164.9495; a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a contractor, consultant, volunteer, or other person or entity to which the University has outsourced institutional services or functions, and who is limited as to use, maintenance, and re-disclosure of information; a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

In addition to the above listing, the following groups are specifically recognized as "school officials" within the definition of FERPA for the limited purpose of receiving at any time listings of names and addresses of students, including incoming students, and/or student directory information: MSU Alumni Association; Murray State University Foundation, Inc; a person or company who performs a service for MSU that serves a legitimate educational interest; authorized representatives of federal or state supported education programs if disclosure is in connection with an audit or evaluation of supported programs or for the enforcement of or compliance with legal requirements that relate to those programs.

A school official has a legitimate educational interest if the official needs to review or receive any education records in order to fulfill his or her professional responsibility or if the service to or for MSU is of a type that MSU would normally perform itself including one which MSU has outsourced.

FERPA allows the institution to routinely release information defined as "directory information." The following student information is included in MSU's definition of directory information:

- the student's name
- addresses
- telephone listings
- campus e-mail address
- date and place of birth
- field(s) of study
- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- enrollment status (including full-time, part-time, not enrolled)
- degrees (pending and received)
- awards or honors received
- the most recent previous educational institution attended.

When a student wants the directory information to remain confidential, an official request form must be completed in the Registrar's Office within the first five days of class of the school term. If a student requests directory information withheld during a term and does not return to Murray State after that term, that request remains in force until such a time as a formal written statement removing that restriction is received from the student.

4. The right to file a written complaint with the Family Compliance Office of the United States Department of Education concerning an alleged failure by MSU to comply with the provisions of FERPA.
 - a) The complaint must contain specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred. A complaint does not have to allege that a violation is based on a policy or practice at MSU.
 - b) To be timely, a complaint should be submitted to the Family Compliance Office within 180 days of the date of an alleged violation. The Family Compliance Office may extend the time limit for good cause shown.
 - c) The complaint may be filed at: Family Compliance Office, U.S. Department of Education, 400 Maryland Ave, S.W., Washington D.C., 20202.