

# Student Records and the Family Education Rights and Privacy Act (FERPA) Policy

## Scope

Applies to faculty, administration, staff, and students within the Mayo Clinic College of Medicine and Science (MCCMS) when student educational records are accessed, released or used.

## Purpose

To protect the privacy of educational records and ensure students are afforded certain rights related to the release of, and access to, their education records in compliance with the [Family Educational Rights and Privacy Act of 1974 \(20 U.S.C., Section 1232-g\) \(FERPA\)](#).

## Policy

### Use of Records

- MCCMS faculty, administration, and staff are responsible for protecting the privacy of educational records.
- Student educational records will only be used for appropriate MCCMS educational, administrative and internal research functions.

### Release of Records

- MCCMS reserves the right to deny the release of any information unless required by law.
- MCCMS has designated the following data as directory/public information which may be released at the discretion of the School administrator without student permission, unless mandated by Federal law (Solomon Amendment requests):
  - Academic degree, certificates, and/or awards/honors
  - Dates of attendance
  - Degree/Certificates awarded
  - Name
  - Enrollment status (full-time/part-time)
  - Mayo e-mail address
  - General Mayo mailing address (site specific)
  - Grade level
  - Major field of study
  - Residency and fellowship match results
  - Participation in officially recognized activities
  - Photograph
  - Mayo telephone listing

- Directory/public information will not be released to organizations or institutions making large scale requests unless specifically directed by law.
- Unless MCCMS has been notified by the student that directory information is not to be released, MCCMS may release such information at its discretion and without further permission.
- Students may request to prohibit the release of directory (public) information by submitting a completed and signed [Request to Prevent Disclosure of Directory Information](#) form to the MCCMS Registrar.
- Students have the right to provide written consent before MCCMS discloses personally identifiable information from the student's education record, except to the extent that FERPA authorizes disclosure without consent.
- FERPA allows disclosure of education records, other than directory information including, but not limited to: transcripts, test scores, college advising records, disciplinary files, financial aid information, housing records and records of educational services that are provided to the following parties without prior written consent of the student:
  - Persons within the College who have a legitimate interest in the information for educational, administrative or research purposes;
  - Other educational institutions in which the student seeks to enroll or Mayo affiliated educational institutions, provided the disclosure is limited to official copies of student transcripts or test scores for the appropriate College office;
  - Other organizations conducting educational research studies, provided the studies are conducted in a manner which will not permit identification of students, and the information will be destroyed when no longer needed for the purpose for which the study was conducted;
  - Persons in compliance with a court order or lawfully issued subpoena; provided that a reasonable attempt is made to notify the student in advance of compliance thereof, except when required by law;
  - Appropriate persons in connection with an emergency if the information is necessary to protect the health or safety of the student or other individuals;
  - Accrediting organizations and state or federal education authorities when the information is needed for auditing, evaluating or enforcing legal requirements of educational programs; provided the accrediting organizations and authorities protect the data in a manner which will not permit the personal identification of students, and personally identifiable information is destroyed when no longer needed;
  - Appropriate persons or agencies in connection with a student's application or receipt of financial aid to determine eligibility, amount or conditions of financial aid; or
  - Parents of a dependent student as defined under the Internal Revenue Code.

- MCCMS will maintain a record of external requests for information from student education records other than directory information and the disposition of the requests.

### **Access to Records**

- Students have the right to access and inspect all information in the student educational record except:
  - Financial information submitted by parents; and
  - Confidential letters and recommendations collected under established policies of confidentiality or to which the student has waived in writing the right of inspection.
- Access must be granted no later than forty-five days after the request is made.

### **Amendments to Records**

- Students have the right to:
  - request amendment of the contents of their education records,
  - have a hearing if the result of the request for amendment is unsatisfactory,
  - provide a statement for inclusion in the record if the decision resulting from the hearing is unacceptable to the student.

### **Student Complaints**

- Students have the right to file a complaint with the U.S. Department of Education concerning alleged failure by the college to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:
  - Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue Southwest  
Washington, DC 20202-4605

### **Privacy Rights Notification**

- MCCMS will notify students annually of their privacy rights and their right to file complaints concerning the failure of MCCMS to comply with the requirements of FERPA.
- This notice is sent to all students no later than October 1st of each year per Federal regulations.

### **Policy Notes**

N/A

### **Related Procedures**

N/A

## Related Documents

[Federal Family Education Rights and Privacy Act Authorization: Confidential Information Release MC4430-17](#)

## Definitions

**Directory Information:** Information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory information could include information such as the student's name, address, e-mail address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended, photograph, grade level and enrollment status (full-time or part-time).

**Education Records:** Records that contain information directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution.

**Family Educational Rights and Privacy Act of 1974 (FERPA):** A federal privacy law designed to protect the privacy of education records and afford students certain rights related to the review, release of and accessibility to their education records. The law also provides guidelines for the correction of inaccurate and misleading data through informal and formal hearings.

**Legitimate Educational Interest:** In accordance with FERPA, Persons within the College have a legitimate educational interest if the Persons need to review an educational record to fulfill their professional responsibility. Persons within the College is defined as MCCMS faculty, administration, and staff. Further, these Persons within the College act in the student's educational interest on a legitimate "need-to-know" basis.

If Persons within the College require information located in a student's educational record to fulfill MCCMS related responsibilities, those Persons within the College have legitimate educational interest. This includes such purposes as:

- performing appropriate tasks that are specified in their position description or by a contract agreement;
- performing a task related to a student's education;
- performing a task related to the discipline of a student;
- providing services for the student or the student's family, such as health care, counseling, job placement, or financial aid.

**Solomon Amendment:** Solomon Amendment is a federal law that allows military recruiters to access some address, biographical and academic program information on students age 17 and older who have not filed any FERPA restrictions. The Department of Education has determined the Solomon Amendment supersedes most elements of FERPA.

**Timely Complaint:** A timely complaint is defined as one that is submitted to the Family Policy Compliance Office within 180 days of the date that the complainant knew or reasonably should have known of the alleged violation. Complaints that do not meet FERPA's threshold requirement for timeliness are not investigated. The Family Policy Compliance Office may investigate those timely complaints that contain specific allegations of fact giving reasonable cause to believe that a school has violated FERPA.

## **References**

[Integrity and Compliance Office](#)

[U.S. Department of Education, Student Privacy Policy Office \(SPPO\)](#)

[U.S. Department of Education, Family Educational Rights and Privacy Act \(FERPA\)](#)

## **Owner**

David Dahlen on behalf of MCCMS Policy Workgroup

## **Contact**

David Dahlen

## **Effective Date Current Version**

October 18, 2024