

Fr: Registrar@bsu.edu

Date: September 13, 2019

Subject: Notification of Student Privacy Rights Under FERPA

Notice to All Students

We want to take this opportunity to give you a brief summary of The Family Educational Rights and Privacy Act (FERPA), the federal law that governs education records. FERPA provides a student who is at least 18 years old, or those attending a postsecondary institution at any age, certain rights with their education records. These rights include:

1. The right to inspect and review your education records within 45 days after the day the university receives a request for access. If you want to review your record, contact the university office that maintains the record to make appropriate arrangements for access. If the record is not maintained by the school official to whom the request was submitted, that office will advise you of the correct official to whom the request should be addressed.
2. The right to request the amendment of your education records that you believe are inaccurate, misleading or otherwise in violation of your privacy rights under FERPA. If you feel there is an error in your record, you should submit a statement to the university official, responsible for the record, clearly identifying the part of the record you want changed and why you believe it should be changed. That office will notify you of their decision in writing and advise you of your right to a hearing in the event you do not agree with the decision, as well as information regarding hearing procedures.
3. The right to provide written consent before Ball State discloses personally identifiable information from your 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 has a legitimate educational interest if the official has a "need to know" information from your education record in order to fulfill his or her official responsibilities. Examples of people who may have access, depending on their official duties, and only within the context of those duties, include, but are not limited to: university administrators, faculty and staff, agents of the institution, students employed by the institution or who serve on official institutional committees, and representatives of agencies under contract with the university. Upon request, Ball State may also disclose education records without consent to officials of another school in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Ball State 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, SW
Washington, DC 20202

Under the provisions of FERPA as amended, you have the right to withhold the disclosure of any or all of the “Directory Information” at the university. Ball State has identified directory information to include the following, and may be released without the student’s consent: name, local address, mailing address, university email address, local telephone number, mailing telephone number, university email address, photograph, video and electronic image taken or maintained by the university, college of enrollment, program of study, status (including current enrollment status, level, dates of attendance, full-time/part-time), degrees, degree honors received (e.g., Dean’s List recognition), participation in officially recognized activities and sports, weight and height of members of athletic teams, and most recent educational agency or institution attended. To withhold identified directory information, you must complete a “Privacy Restriction on Records” form, which is available on the Registrar website. Please note the privacy restriction applies to all elements of [directory information](#) on your record.

FERPA permits the disclosure of non-directory, personally identifiable information from students’ education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. . A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within Ball State University whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student’s enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university’s State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))

- To organizations conducting studies for, or on behalf of, Ball State University, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information Ball State University has designated as "directory information" under § 99.37. (§ 99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if Ball State University determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of Ball State University's rules or policies with respect to the allegation made against him or her. (§ 99.31(a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of Ball State University, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

Additional information is available from the Office of the Registrar at www.bsu.edu/registrar.

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 Ball State University