

Family Educational Rights and Privacy Act (FERPA)

Annual Notification

Students attending, or who have attended, Mary Baldwin University are given certain rights under the Family Educational Rights and Privacy Act of 1974 as amended (20 U.S.C. 1232g) and Rules of the Department of Education (34 C.F.R. Part 99) implementing this Act.

Student rights under the Act and Rules may be summarized as follows:

- To inspect and review the content of the student's education records. The University shall comply with a request for access to records within a reasonable period of time, but not more than 45 days after it has received the request;
- To receive a response from the University to reasonable requests for explanation of those records;
- To obtain an opportunity for a hearing to challenge the content of those records;
- To receive confidential treatment by the University of education records; neither such records, nor personally identifiable information contained therein, except for directory information, shall be released without student permission to anyone other than those parties specifically authorized by the Act;
- To refuse to permit the release of their directory information;
- To file complaints with the Family Policy Compliance Office (FPCO) of the Department of Education concerning alleged failures by the University to comply with the requirements of the Acts and Rules:
 - Family Policy Compliance Office
United States Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202-5920
- To exercise all rights on the student's own behalf, regardless of the student's status as a dependent upon parents.

The University has adopted policy and procedures to protect the privacy rights of the past and present students. The policy and procedures describe:

- The types of education records maintained by the University;
- The titles and addresses of the University officials responsible for those records;
- The procedures controlling the inspection and review of education records;
- The procedures controlling the correction of education records, including a request to amend and to have a hearing;
- The procedures controlling the recording of each request for and each disclosure of personally identifiable information from the education records of a student; and
- The individuals and organizations who have access to a student's education records without the student's prior written consent.

Consent is not required where the disclosure is to school officials within the University who have a legitimate educational interest for the information.

School officials are those individuals who engage in the instructional, supervisory, advisory, administrative, governance, public safety, and support functions of the University. They need not necessarily be paid employees of the University. School officials include:

- Those University students who, pursuant to their duties as officers in officially recognized honor societies, periodicals, and other activities which recognize or encourage superior academic achievement, require personally identifiable information (e.g. grades) from students' education records to determine the satisfaction of specified eligibility requirements;
- Those University students who, pursuant to their duties as members of official University committees (e.g. scholarship committees), require personally identifiable information from students' education records;
- Those University students who, pursuant to the authority granted by the Board of Visitors under the terms of the Honor System and the University Judiciary System, require personally identifiable information from a student's education records to investigate, adjudicate, or advise students involved in an alleged violation of the Honor Code or the Standards of Conduct; and
- A person, company, or agency with whom the University has contracted to provide services that the University itself would provide otherwise.

In order for a school official to have a legitimate educational interest, he or she must require the student's education records in the course of performing his or her duties for the University.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Directory Information at MBU for students includes:

Name

Address

Telephone number

E-mail address

Date of birth

Place of birth

Major field of study

College of Enrollment

Location of attendance

Full-time/part-time status

Level and year in school

Expected graduation date

Past and present participation in officially recognized activities and sports

Physical factors of athletes (age, height, weight)

Dates of attendance
Candidacy for degree
Degrees, honors, scholarships, and awards received

Any unique identifying number created for the purpose of compiling, releasing, or transmitting Directory Information. This identifying number is not the student ID number it is an ID number created only for the purpose of transmitting information.

Photographs or recordings may be taken by the university or its designees in public areas of the Mary Baldwin University campus and regional centers and at university events. The university may use such photographs or recordings to document, promote, or provide information about the university and its programs without prior consent by individuals depicted or recorded in them. Public areas include but are not limited to outdoor areas, classrooms, laboratories, library, athletic facilities, residence hall common areas, dining and gathering facilities, meeting rooms, and performance spaces.

Students may designate access to their student record or student account information via MyMBU. This access may be updated at any time and all students must update their information in MyMBU once a year.