

UNC Charlotte Academic Policy and Procedure: Family Education Rights and Privacy Act (FERPA) Notification

I. Introduction

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. [University Policy 402, Student Education Records, is the official University Policy governing student education records at UNC Charlotte.](#)

II. Policy and Procedure Statement

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 Office of the Registrar, dean of their college, chair of their major academic department, or other appropriate official written requests that identify the record(s) they wish to inspect. [Student education records are maintained at several locations on campus. Principal locations are listed in Attachment A to University Policy 402, Student Education Records, together with the title of the official to be contacted for access to the records.](#)

University officials 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.

- 23. The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

[The University will not disclose any information from a student's education records without prior written consent of the student, except Directory Information, to University officials with a legitimate educational interest, to parents of dependents, and in other limited circumstances, as more fully set forth in Section II.B of University Policy 402, Student Education Records.](#)

- 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 "legitimate educational interest" is defined as an interest that is essential to the general process of higher education, including teaching, research, public service, academic advising, general counseling, discipline, job placement, financial assistance, medical services, and academic assistance activities. At UNC Charlotte, University officials who may have access to only those education records in which they have legitimate educational interests include, but are not limited to, personnel in the following offices:](#)

- [Faculty](#)
- [Undergraduate Admissions](#)
- [Graduate Admissions](#)
- [Office of University Registrar](#)
- [Academic Services](#)
- [Financial Aid](#)
- [Financial Services](#)
- [Auxiliary Services](#)
- [Student Employment Office](#)
- [University Center for Academic Excellence](#)
- [Career Center](#)

- Counseling Center
- Office of Adult Students and Evening Services
- Disability Services
- Information Technology Services, for technical support associated with maintaining student education records only
- Internal Audit
- Office of Enrollment Management
- Office of Director of Athletics
- Office of Vice Chancellor for Student Affairs
- Office of Vice Chancellor for Business Affairs
- Office of Dean of Students
- Office of Dean of Graduate School
- Office of International Programs
- Offices of Chairpersons of Departments
- Offices of Deans of Colleges
- Offices of Directors of Interdisciplinary Units
- Office of Provost
- Office of Chancellor
- Office of Legal Affairs
- Campus Police, for internal law enforcement or health and safety purposes only
- University Advancement
- Academic counselors and advisors
- Campus Behavioral Intervention Team
- Office of Institutional Research
- Other academic and administrative personnel, as approved by the Chancellor
- Campus Behavioral Intervention Team

A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, collection agent, or outsourced institutional service provider); a person serving on the Board of Trustees; 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.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which a student's education records and personally identifiable information (PII) contained in such records—including their Social Security Number, grades, or other private information—may be accessed without the student's 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 a student's records and PII without the student's 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 the student's education records and PII without their consent to researchers performing certain types of studies, in certain cases even when the University objects to or does 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 the student's 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 the student's consent PII from their education records, and they may track the student's participation in education and other programs by linking such PII to other personal information about the student 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.

Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer.

32. The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the University to amend a record should write the University ~~official responsible for the record~~ Registrar, clearly identify the part of the record the student wants changed, and specify why it should be changed. The process for requesting an amendment to education records is set forth in Attachment C to University Policy 402, Student Education Records.

If the ~~University Registrar or designee~~ decides not to amend the record as requested, ~~the University~~ he or she will notify the student in writing of the decision and the student's right to request 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.

4. The right to be notified of the student's privacy rights under FERPA.

5. 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 is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

UNC Charlotte intends to comply fully with these requirements. University Policy 402, "Student Records," explains the procedures for compliance. Students may obtain copies of the policy in the Office of the Registrar or online. The policy includes a list of the locations of all education records maintained by the institution.

The following categories of personally identifiable information about students have been designated as public or directory information that may be disclosed for any purpose without student consent: student's name, major field of study, dates of attendance, enrollment status, and degrees and awards (including scholarships) received.

Photographs, videos, or other media containing a student's image or likeness (collectively, "student images") and University-issued student electronic mail addresses ("email addresses") are designated by UNC Charlotte as "limited use directory information." Use and disclosure of limited use directory information is restricted to: (1) publication in official University publications or on social media sites or websites hosted or maintained by, on behalf of, or for the benefit of the University, including the University's online directory and internal email system; (2) University officials who have access, consistent with FERPA, to such information and only in conjunction with a legitimate educational interest; and (3) external parties contractually affiliated with the University, provided such affiliation requires the sharing of limited use directory information, name, local and permanent address, email address, telephone number, date and place of birth, class, major field of study, dates of attendance, enrollment status, degrees and awards (including scholarships) received, participation in officially recognized activities and sports, weight and height of members of athletic teams, and the most recent previous educational agency or institution attended.

Directory information does not include a student's Social Security Number or student identification number.

Currently enrolled students may request that the University withhold disclosure of Directory Information by completing the appropriate request form available in the Office of the Registrar. A request for non-disclosure will be honored by the University indefinitely, unless the student submits to the Office of the Registrar a written revocation of such request for non-disclosure.

All questions concerning this FERPA Annual Notification may be directed to the attention of the Office of the Registrar.

III. Definitions

- **Dean** – The highest authority within an academic division of study. An Academic Dean heads each College. In addition to the academic deans, there is also a Dean of Students within the Division of Student Affairs.
- **Department chair** – The faculty member in charge of an academic department of the University.
- **Directory Information** – Directory Information means information in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. At UNC Charlotte, directory information consists of the student's name, major field of study, dates of attendance, enrollment status, and degrees and awards (including scholarships) received. Photographs, videos, or other media containing a student's image or likeness (collectively, "student images") and University-issued student electronic mail addresses ("email addresses") are designated by UNC Charlotte as "limited use directory information." Use and disclosure of limited use directory information is restricted to: (1) publication in official University publications or on social media sites or websites hosted or maintained by, on behalf of, or for the benefit of the University, including the University's online directory and internal email system; (2) University officials who have access, consistent with FERPA, to such information and only in conjunction with a legitimate educational interest; and (3) external parties contractually affiliated with the University, provided such affiliation requires the sharing of limited use directory information.
- **Education Records** – Education Records include records directly related to a student that are maintained by UNC Charlotte. Exclusions from the definition of Education Records are found in University Policy 402, Student Education Records.
- **FERPA** – The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- **Personally Identifiable Information** – The definition of Personally Identifiable Information is set forth in University Policy 402, Student Education Records.
- **Registrar** – The official at the University who is responsible for maintaining student records. The Office of the Registrar plans and oversees registration, academic record maintenance, transcript preparation, graduation, a degree audit report system, and curricular records.-
- **Student** – Student means an individual who is or who has been in attendance at UNC Charlotte. It does not include persons who have been admitted but did not attend at the University. For the purposes of this policy, "attendance" includes attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a UNC Charlotte work-study program

IV. Policy Contact(s)

- **Authority:** Faculty Council
- **Responsible Office:** Office of the Provost and Vice Chancellor for Academic Affairs
- **Additional Contact(s):** Office of the Registrar

V. History

- **06/04/12:** Paragraph four added to Section II.3.
- **February 2017:** Alignment with University Policy 402, Student Education Records

VI. Related Policies, Procedures, and Resources

- [Disclosure of Directory Information form](#)
- [FERPA Guidance and Resources](#)
- [Office of the Registrar](#)

- [University Policy 402: Student Records](#)

VII. Frequently Asked Questions

- **Which students are covered under this policy?** This policy applies to all ~~undergraduate~~ students at UNC Charlotte. For the purposes of FERPA and this notice, “student” means an individual who is or who has been in attendance at UNC Charlotte. “Attendance” includes attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a UNC Charlotte work-study program.