

FERPA Overview

Family Educational Rights and Privacy Act ("FERPA")

The Family Educational Rights and Privacy Act of 1974, as amended ("FERPA") is a federal law that gives students certain rights with respect to their education records.

Education Records

The Harvard Schools routinely maintain records for their students that describe and document their work and progress. These education records generally include records such as permanent and local addresses, admissions records, enrollment status, course grades, reports and evaluations, completion of requirements and progress toward the degree, records of disciplinary actions, letters of recommendation, and other correspondence with or concerning the student.

Access

To be useful, a student's records must be accurate and complete. The officials who maintain them are those in charge of the functions reflected in the records and the offices where the records are kept. These ordinarily include the Registrar of the student's Harvard School, and may include other institutional officials. All students have access to their own education records and may contribute to them if they feel there is need for clarification. Students wishing access to their education records should contact the appropriate officials at their Harvard Schools. Ordinarily, students are asked to submit a written request that identifies the specific record or records he/she wishes to inspect. Access will be given within 45 days from the receipt of the request. When a record contains information about more than one student, the student requesting access may inspect and review only the portion of the record relating to him or her. Students also are not permitted to view letters and statements of recommendation to which they waived their right of access, or that were placed in their file before January 1, 1975.

Students should direct any questions they have about the accuracy of records to the person in charge of the office where the records are kept. Should it be necessary, a hearing may be held to resolve challenges concerning the accuracy of records in those cases where informal discussions have not satisfactorily settled the questions raised.

Directory Information

Although ordinarily, students must consent to the disclosure of information from their education records, FERPA allows certain types of information, known as “directory information,” to be made available to the general public.

The Registrars of Harvard College and of Harvard’s graduate and professional schools have jointly adopted a set of Common FERPA Directory Information Elements (the “Common List”). Individual Harvard Schools may select any number of elements from the Common List when creating a School-specific definition of “directory information.” However, Schools may not disclose as directory information data elements not included on the Common List.

Because Harvard University’s definition of “directory information,” includes all of the elements on the Common List, requests for directory information received at the University level rather than at the individual Harvard School level may result in disclosure of additional elements.

Students may opt out of public disclosure of directory information by requesting what is known as a “FERPA Block.”

FERPA Blocks and Effects

Students who wish to put in place a “FERPA Block” must inform an appropriate School official, usually the School’s Registrar, in writing, of that decision. A student who is crossregistered at more than one Harvard School must submit separate FERPA Block forms to each School.

Students should be aware of the possible consequences of putting in place a FERPA Block, such as missed mailings, messages, and announcements. Students also should understand that: unless another FERPA exception permits disclosure, an active FERPA Block will prevent Harvard from disclosing that the student once attended or is currently enrolled in a Harvard School; and directory information relating to a student with an active FERPA Block will not appear in any Harvard publication, including Harvard phone directories and the Harvard Commencement booklet.

Students who previously have chosen to put in place a FERPA Block may decide to reverse this decision, also by written request.

Other Disclosures permitted under FERPA

In addition to permitting the disclosure of directory information, as set forth above, FERPA permits disclosure of educational records without a student's knowledge or consent under certain circumstances. For example, disclosure is permitted to Harvard officials with a legitimate educational interest in the records, meaning that the person needs the information in order to fulfill his or her professional responsibilities, including instructional, supervisory, advisory, administrative, academic or research, staff support or other duties. "Harvard officials" include: faculty; administrators; clerical employees; professional employees; Harvard University Health Services professionals; Harvard University Police Department officers; agents of the University, such as independent contractors or vendors performing functions on behalf of a Harvard School or the University; members of Harvard's governing boards; and students serving on an official School or University committee, or assisting other Harvard officials in performing their tasks. A student's education record also may be shared with parties outside the University under certain conditions, including, for example, in situations involving a health and safety emergency. In addition, a Harvard School will forward a student's education records to other agencies or institutions that have requested the records and in which the 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.

If a Harvard School finds that a student has committed a disciplinary violation involving a crime of violence or a non-forcible sex offense, then it also may, if legally permitted and in the judgment of the Harvard School appropriate, disclose certain information about the disciplinary case. The disclosure may include the student's name, the violation committed, and the sanction imposed.

Student Rights under FERPA

As set forth above, under both Harvard policy and FERPA, students and former students may inspect and review certain of their education records that are maintained by Harvard. They also have the right to: exercise limited control over other people's access to their education records; seek to correct their education records if they believe them to be inaccurate,

misleading or otherwise in violation of their FERPA rights; file a complaint with the U.S. Department of Education if they believe Harvard has not complied with the requirements of FERPA; and be fully informed of their rights under FERPA. Complaints regarding alleged violation of rights of students under FERPA may be submitted in writing within 180 days to the Family Policy Compliance Office, US Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-5920.

FERPA Directory Information

Harvard University Common FERPA Directory Information Elements

<i>FERPA Directory Term</i>	<i>Definition</i>
Student's name	The student's current legal name or full name as shown on his or her application for admission.
Address	The student's residential address while school is in session, (as provided by the student or the University).
Telephone listing	A telephone number at which the student may be reached while school is in session (as provided by the student).
Electronic mail address	An email address at which the student may be reached while school is in session (may be assigned by the school or, in certain cases, provided by the student).
Photograph	The student's Harvard University ID photograph.
Date of birth	The student's date of birth (as provided by the student).
Field of study	The academic department, degree program or concentration in which the student is enrolled.
Dates of enrollment	The first and last dates on which the student was enrolled in one or more Harvard schools.
Anticipated or actual date of graduation	The expected date of the student's graduation or, if the student has already graduated, the actual date of graduation.
Enrollment status	The student's enrollment status in the Harvard School (<i>e.g.</i> , full-time or part-time, as the School may define either term).
Degrees	Identification of degree(s) the student has received or is expected to receive from Harvard and date of award or expected award; or notification of student's non-degree status, as applicable.
Honors and awards received	List of honors or awards the student received from Harvard.

<i>FERPA Directory Term</i>	<i>Definition</i>
Prior degrees; recent educational institution(s) attended	List of degrees previously conferred; list of educational institutions, including high schools and preparatory schools, previously attended by the student, as well as dates of attendance (information provided by the student).
Class year	Class year upon graduation.
Original class year	Class year when admitted.
House affiliation	The student's undergraduate Harvard House
Weight and height of members of athletic teams	The weight and height of members of athletic teams.
Participation in officially recognized activities and sports	List of officially recognized activities or sports in which the student has participated or is participating.
Parents' or guardians' home address & phone numbers	The home address(es) and phone number(s) of a student's parents or guardians (as provided by the student).
Employment status	For student employees: job title, teaching appointment (if applicable), employing department, & dates of employment.
Place of birth	Location and country of the student's birth (as provided by the student).
Permanent address & phone number and summer address	The student's permanent address and phone number (as provided by the student).
Society	Academic Society affiliation (Harvard Medical School and Harvard School of Dental Medicine only).
Network ID	The primary user ID associated with network login for desktop, network drives, shared file folders, print servers, email and other University resources. N.B.: A student's HUID number, HUID PIN number, or password credential is not a "Network ID" for these purposes and will not be disclosed as directory information.