

TO: All Students
FROM: Office of the Registrar
DATE: October 2, 2002 (revised May 5, 2008)
SUBJECT: The Family Educational Rights and Privacy Act of 1974 (FERPA)

In accordance with the provisions of the Family Educational Rights and Privacy Act of 1974, as amended (Section 438 of the General Educational Provisions Act, 20 USC 1232g), also known as “FERPA,” Yeshiva University has adopted the policies below to protect the privacy rights of its students with respect to their “Education Records,” as defined below. FERPA affords students certain rights of access to their Education Records. FERPA also limits the persons to whom the University may disclose a student’s Education Records, and permits certain disclosure without the student’s written permission.

Definitions

“Students” includes persons who are or were in attendance at Yeshiva University as registered students. An applicant to Yeshiva University or one of the schools or divisions of Yeshiva University who has not yet begun attending classes is not a “student.” “Education Records” are records, files, documents, and other materials that contain information directly related to a student and are maintained by the University or a person acting for the University. Under FERPA and its related regulations, a number of types of records are not Education Records and a student is not entitled to review them; for example:

1. records maintained personally by instructional, supervisory or administrative personnel that are not available to others;
2. records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional which are made, maintained, or used only in connection with the treatment of the student and which are not available to anyone other than the persons providing such treatment. Such records, however, can be personally reviewed by a physician or other appropriate professional of the student’s choice;
3. records containing only information relating to a person after that person is no longer a student at the University.

In addition, a student does not have the right to review:

1. records containing financial information about the student’s parents;

2. confidential letters and statements of recommendation placed in the student's Education Records a) prior to January 1, 1975, if such letters are used only for purposes for which they were specifically intended; and b) on or after January 1, 1975, if the student has waived his or her right to see them and the letters and recommendations relate to the student's admission to an educational institution (including Yeshiva University), application for employment, or receipt of an honor or honorary recognition;
3. records, such as those which may be maintained by Yeshiva University's Office of General Counsel, the confidentiality of which is protected by law;
4. those portions of Education Records that contain information about other students.

A. Type and Location of Education Records; Officers Responsible

1. The principal Education Records of each student are kept at the Office of the Registrar at the teaching center at which the student is enrolled; the Registrar or the Registrar's representative is responsible for these records. Inquiries concerning those records should be made in writing to the Registrar at that center.
2. Certain other offices maintain informal or unofficial records as listed below. Inquiries concerning those records should be made in writing to the person listed, with a copy to the Office of the Registrar:
 - a. Deans of schools
 - b. Heads of Departments (for students' majors and for students who have taken placement of exception examination with them)
 - c. Advisors for interdepartmental programs (such as the undergraduate Pre-Medical and Pre-Engineering majors)
 - d. Program Directors
3. The following offices maintain administrative (rather than academic) records relevant to their work. Inquiries concerning those records should be made in writing to the person listed, with a copy to the Office of the Registrar:
 - a. Residence Hall – Supervisor
 - b. Student Finances – Director

4. The following offices maintain primarily guidance records relevant to their work. Inquiries concerning their records should be made to the person listed, with a copy to the Office of the Registrar:
 - a. Student Affairs – the Dean of Students at the Wilf Campus; the Assistant Dean for Student Affairs at AECOM/Golding; the Dean of Ferkauf Graduate School; the Director of Student Services at the Midtown Center; the Assistant to the Dean for Student Affairs at the Cardozo School of Law.
 - b. School Guidance Offices and Committee on Academic Standards or Scholastic Standing – the Dean of the School or Program Director.

B. Inspection and Review of Records

1. Any student may inspect or review his or her Educational Records upon written request to the person in charge of the records, as listed above. That person will comply as soon as possible; under the law this must be done within 45 days after the request has been made.
2. If, after inspecting and reviewing his or her records, the student has any question about them, the student may request an oral or written explanation and interpretation of them.
3. The student may also secure a copy of every document in the student's folder open to the student. These will be made by the University under the same terms, conditions, and charges as for a student copy of a transcript, i.e., \$4 for each document under regular service (normally within eight school days). Copies, however, will not be supplied if the student has an overdue debt to the University or has failed to return all books to its libraries. If an original or source document exists elsewhere (e.g., records of other schools), copies will not be sent to a third party.

C. Correction of Records

1. If, after inspecting and reviewing his or her records, the student believes that any information contained in them is inaccurate or misleading or violates the student's privacy or other rights, the student may request in writing that the office which contains those records amend them.
2. That office must reach a decision and inform the student of this decision in writing within a reasonable period of time after receiving the request.
3. If the office refuses to amend the records in accordance with the student's request, the student has a right to a hearing.

4. This hearing will be conducted by a committee appointed by the President, consisting of persons who do not have a direct interest in the outcome of the hearing.
5. The hearing will be held within a reasonable period of time after the student has made the request, and the student will be given notice of the date, place, and time, reasonably in advance of the hearing.
6. The student will be afforded a full and fair opportunity to present evidence relevant to the issue raised, and may be assisted or represented by individuals of the student's own choice at the student's own expense, including an attorney.
7. The committee will make its decision in writing within a reasonable time period after the conclusion of the hearing.
8. The decision of the committee will be based solely on the evidence presented at the hearing and will consist of a written statement given to all parties concerned, summarizing the evidence and stating the reasons for the decision.
9. If, as a result of the hearing, the committee supports the complaint of the student, the educational records of the student will be amended accordingly and the student will be so informed.
10. If the committee decides against the student, the student has the right to place in his or her records a statement commenting on the information in the records and/or stating his or her reasons for disagreeing with the decision. This explanation will be maintained by the University as part of the Education Records of the student as long as those records are maintained, and whenever a copy of those records is sent to any party, the explanation will accompany them.

D. Disclosure of Information From Education Records

1. No office maintaining Education Records of a student will disclose any personally identifiable information from those records to anyone other than the student himself or herself without the written consent of the student, unless consent is not required by law.
2. The Education Records of a student will be disclosed without the student's written consent to school officials, including academic and administrative officers within the University, who have a legitimate educational interest in the information. "Legitimate educational interest" includes school officials acting within the scope of their employment or acting in the student's educational interest. School officials include the following persons and the professional and clerical staffs acting under their instructions: the dean or director of the student's school, the

- Registrar; the Director of Student Finances; the President and Vice President; the appropriate guidance staff and/or academic standards committee; any faculty member or administrator to whom or to whose office the student has addressed an educational request, application, or inquiry for which the records are needed to prepare a reply.
3. The University also reserves the right to forward a student's Education Records to another school in which it understands that the student is currently enrolled, or seeks or intends to enroll, without the written consent of the student.
 4. The records of a student will be disclosed without the student's written consent to those federal and state government agencies and officials provided by law.
 5. The records of a student will be disclosed without the student's written consent to an agency to which the student has applied for or from which the student has received financial aid, or which has made decisions concerning eligibility, amount, conditions, or enforcement of terms of such aid.
 6. The records of a student will be disclosed without the student's written consent to certain educational agencies and institutions, as permitted by law.
 7. The University reserves the right to furnish to parents or guardians of financially dependant students any information relating to such student's academic status. The University will assume that an undergraduate student is financially dependant unless the student informs the Office of the Registrar in writing on Notification of Emancipated Status Form, available in the Office of the Registrar, within ten days of registration each term that he or she is financially independent.
 8. The records of a student will be disclosed without the student's written consent to comply with a judicial order or subpoena.
 9. The records of a student will be disclosed without the student's written consent in a health or safety emergency, as provided by law.

E. Directory Information

1. The following information related to a student record is considered "directory information": YU email address, dates of attendance at Yeshiva University and school, department, division, or institute attended; degrees and awards received and their dates; titles of masters and doctoral dissertations; high school and class year (for those participating in any officially recognized intercollegiate athletic team only); high school, class year, and height (for those on intercollegiate basketball or volleyball teams only); and high school, class year, and weight classification (for those on intercollegiate basketball or volleyball teams only).

2. The University may disclose directory information to anyone without the student's consent unless the student, within ten days of registration each semester, informs the Office of the Registrar in writing on the Request to Prevent Disclosure of Directory Information Form, available in the Office of the Registrar, that any or all such information about the student is not to be made public without his or her written permission. A new form for non-disclosure must be completed each year.

F. Right of Complaint

Students who believe that the University is not complying with the requirements of the Family Educational Rights and Privacy Act of 1974, as amended, or the regulations issued by the Department of Education implementing that Act, may file complaints in writing with:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, D.C. 20202-4605

The full text of the Family Educational Rights and Privacy Act of 1974, as amended, and the full text of the final regulations of the U.S. Department of Education for the implementation of the Act, are available for inspection at the Office of the Registrar. Copies of this statement are available upon request (accompanied by a self-addressed stamped envelope) to the Office of the Registrar at the Center (Brookdale, Midtown, Resnick, Wilf) at which the student is enrolled. Revisions and clarifications may be published from time to time to conform with the law and Yeshiva University's policies.