FERPA POLICY

Policy:

1. The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

   a) The right to inspect and review your records within 45 days after the day the University of Nebraska Medical Center (UNMC) receives a written or electronic request for access. You should submit to the registrar, dean, head of the academic department, or other appropriate official, a written or electronic request that identifies the record(s) you wish to inspect. The school official will make arrangements for access and notify you of the time and place where the records may be inspected.

   b) If UNMC officials decide not to amend the record as requested, you will be notified in writing of the decision and your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided when notified of the right to a hearing.

   c) The right to provide written consent before UNMC discloses personally identifiable information (PII) from your education records, except to the extent that FERPA authorizes disclosure without consent. UNMC may disclose education records without your prior consent:

      a) To those requesting Directory Information (as defined by the University of Nebraska Board of Regents) unless you have placed a request on your record restricting this release (FERPA Flag):

         The University is allowed to select some information about a student to make accessible to the public. This information is called "Directory Information." Public Directory Information is student information that is available to the public. Non-Public Directory Information is not available to the public, but is available to any University Official or student.

         **Public Directory Information**

         i) Student name

         ii) Year at the University

         iii) Dates of attendance

         iv) Academic college and major field of study

         v) Enrollment status (undergraduate or graduate; full-time or part-time)

         vi) Participation in officially recognized activities and sports

         vii) Degrees, honors and awards received

         viii) Most recent educational agency or institution attended

    b) To school officials with legitimate educational interests. A school official is a person employed by UNMC in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of UNMC who performs an institutional service or function for which UNMC would otherwise use its own employees and who is under the direct control of UNMC with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist 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 UNMC. (§99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2))

    c) To officials of another school in the NU system (UNL, UNO, or UNK) in which you seek or intend to enroll provided you have not placed a FERPA flag upon your record. If you have flagged your record for non-release UNMC will contact you for permission prior to releasing information to another university in the NU system.

    d) To some judicial orders or lawfully issued subpoenas. FERPA regulations require UNMC to record the disclosure. Eligible students have a right to inspect and review the record of disclosures, as permitted by the judicial order or lawfully issued subpoena. (§§99.31(a)(9))

    e) 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 UNMC'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)

    f) In connection with financial aid for which you have applied or which you have 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))

g) To organizations conducting studies for, or on behalf of, UNMC, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))

h) To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))

i) To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))

j) To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))

k) 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))

l) To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if UNMC 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 the school's rules or policies with respect to the alleged crime or offense. (§99.31(a)(14))

m) To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of UNMC, governing the use or possession of alcohol or a controlled substance if UNMC determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

n) If the disclosure concerns sex offenders and other individuals required to register under section 17010 of the Violent Crime Control and Law Enforcement Act of 1994.

4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by UNMC 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

5) Questions

a) If any questions, please feel free to contact Academic Records by email (studentservices@unmc.edu) or at 402 559 4199.

FERPA Annual Notice Addendum

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 authorizes ("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.

Third, 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.

FERPA Instructions (https://www.unmc.edu/studentservices/academic-records/ferpa/ferpa-bpg.pdf)