

**Title:** Student Education Records  
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## Introduction

On June 17, 1976, the Department of Health, Education, and Welfare issued the initial final regulations for the Family Educational Rights and Privacy Act of 1974 (the Act or FERPA [Public Law 93-568, Sec. 2; 20 USC 1232g], more commonly known as the "Buckley Amendment." On May 9, 1980, the implementing regulations were transferred to the newly established Department of Education and codified in Part 99 of Title 34 of the Code of Federal Regulations (34 CFR 99). The Act sets forth requirements for the privacy of student education records, and provides certain rights to students concerning these records, including the right to inspect and review one's education record; the right to seek to have the record amended; and the right to have some control over the disclosure of information from the record. All educational agencies and institutions that receive funds under any program administered by the Department of Education are subject to the requirements of FERPA.

Boston College maintains records on each student who is attending, or has attended, the University. Contained in these records are many items of information dealing with the individual student that are clearly recognizable as relating to that student. Maintenance of these records is necessary to support the University's educational programs, as well as to serve the immediate educational goals of its students. The University recognizes that any personally identifiable information maintained in the record of a current or former student must be kept private. Therefore, it does not allow access by persons other than appropriate Boston College personnel, agents acting for the institution, and the student in question, unless the student has specifically provided permission for such access, or disclosure of the information is otherwise allowable under the law.

This document contains a description of the University's education records policy. Students or others seeking more definitive information regarding their rights and responsibilities under FERPA may reference the BOSTON COLLEGE BULLETIN, or access the [Office of Student Services web site](#).

The Academic Vice President has overall responsibility for implementing, monitoring, and enforcing the provisions of this policy. The Director of Student Services, the Executive Vice President, and the Vice President for Student Affairs are responsible for implementing, monitoring, and enforcing specific procedures as stipulated by the policy.

## Definitions

**Directory information** is defined by 34 CFR 99.3 as information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. For purposes of this policy, **directory information** includes the following information:

- Name
- Term, home, local, and electronic mail addresses
- Telephone listing
- Photograph
- Enrollment status

- Grade level
- School/college of enrollment
- Anticipated date of graduation
- Date and place of birth
- Major field of study
- Dates of attendance
- Degrees and awards received
- Most recent previous educational agency or institution attended
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Other similar information

**Directory information** may never include:

- Ethnicity
- Gender
- Nationality
- Race
- Social security number
- Student identification number

**Disclosure** is defined by 34 CFR 99.3 as the release, transfer, or other communication of, or to permit access to, personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.

**Education records** are defined by 34 CFR 99.3 and 99.8 as those records that are (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution. Education records do not include:

- Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
- Records maintained by a law enforcement unit of an educational agency or institution that are created by that law enforcement unit for a law enforcement purpose.
- Records relating to an individual who is employed by an educational agency or institution that (1) are made and maintained in the normal course of business; (2) relate exclusively to the individual in that individual's capacity as an employee; and (3) are not available for use for any other purpose. Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and are not excepted.
- Records on an **eligible student** (see definition below) that are (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; (2) made,

maintained, or used only in connection with treatment of the student; and (3) disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

- Records that only contain information about an individual after he or she is no longer a student at that agency or institution.

**Eligible student** is defined by 34 CFR 99.3 as a student who has reached 18 year of age or is attending an institution of postsecondary education.

For purposes of this policy, **legitimate educational interests** are defined as those reasons for obtaining access to a record that involve the acquisition of data necessary for the performance of a specific University function relating to the University's primary educational and scholarly goals, and/or the supporting administrative functions such as maintaining property, disbursing funds, keeping records, providing living accommodations and other services, sponsoring activities, and protecting the health and safety of persons or property of the University community. Persons with legitimate educational interests or demonstrated need to know may include faculty, administration, staff, student employees, or agents acting for the institution such as clearinghouses and service providers.

**Parent** is defined by 34 CFR 99.3 as a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

**Personally identifiable information** is defined by 34 CFR 99.3 as information that includes, but is not limited to:

- The student's name;
- The name of the student's parent or other family member;
- The address of the student or student's family;
- A personal identifier, such as the student's social security number or student number;
- A list of personal characteristics that would make the student's identity easily traceable; and
- Other information that would make the student's identity easily traceable.

**Record** is defined by 34 CFR 99.3 as any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

**Student**, except as otherwise specifically provided in these definitions, is defined by 34 CFR 99.3 as any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records. Thus, alumni are students for purposes of this policy, but applicants who fail to gain admission and nonmatriculated students are not students and are not covered by the policy.

For purposes of this policy, **University official** is defined as 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 (such as an attorney, auditor, or collection agent); 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 University official in performing his or her tasks.

## **Policy**

Boston College complies with the requirements of the Family Educational Rights and Privacy Act of 1974, as implemented in 34 CFR 99. The general policies and procedures that follow have been formulated to facilitate Boston College's compliance with the requirements of the Act.

### Student Access

Except as stated below, all students have the right to examine their education records maintained by Boston College. Requests to inspect education records are complied with as promptly as possible, but in no case more than 45 days after the request is received. Students are not permitted access to, nor are they allowed to obtain copies of, the following information which may be contained in their files:

- Parents' financial statements;
- Letters of recommendation given with an assurance of confidentiality, and received by the University prior to January 1, 1975;
- Letters of recommendation to which a student has waived his or her right of access in writing; and
- Any other document determined by the keeper of the education record to be of a class that should not be disclosed to the student or cannot be released by law or decree.

### Access by Third Parties

Except as stated below, Boston College does not permit disclosure of the personally identifiable information contained in the education records of its students to persons other than the student in question and University officials who have a legitimate educational interest, unless the student authorizes, in writing, access by a particular person for a stated purpose. Under the conditions that allow an institution to release personally identifiable information from an education record without a student's written consent, the University may disclose such information to the following:

- Officials of educational institutions to which a student is seeking admission;
- Authorized representatives of the following government entities if the disclosure is 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: Comptroller General of the United States, Secretary of Education, U. S. Attorney General (for law enforcement purposes only), state and local educational authorities;
- State and local officials or authorities to whom such information must be reported or disclosed pursuant to state statutes adopted prior to November 19, 1974;
- Organizations conducting studies for, or on behalf of, education agencies or institutions to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction, only if the study is conducted in a manner that does not permit personal identification of parents or students;
- Accrediting organizations carrying out their accrediting functions;
- The parents of a student who is a dependent for income tax purposes;
- Persons in compliance with a judicial order or lawfully issued subpoena, provided that the University makes a reasonable effort to notify a student at least seven days prior to disclosure of the education record;
- Appropriate persons in a health or safety emergency where knowledge of the particular information is necessary to protect the health or safety of a student or other individuals;

- Persons providing signed and dated written consent from the parent of a dependent student or an eligible student;
- Persons or organizations providing financial aid to students or determining financial aid decisions, not including payments made by parents;
- Parents regarding the student's violation of any federal, state, or local law, or of any institutional policy or rule, governing the use of alcohol or a controlled substance, if the student is under the age of 21;
- A victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense. (The disclosure may include only the final results of the disciplinary proceeding conducted by the institution with respect to that alleged crime or offense.);
- The public regarding the final results of an institutional disciplinary proceeding, only if the student is an alleged perpetrator of a crime of violence or nonforcible sex offense; and, with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies. (The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the institution against the student.);
- The U.S. Citizenship and Immigration Services (USCIS) and/or Immigration and Customs Enforcement (ICE) for purposes of the Student and Exchange Visitor Information System (SEVIS);
- Military recruiters who request "student recruiting information" for recruiting purposes only (Solomon Amendment). Student recruiting information comprises name, address, telephone listing, age (or year of birth), level of education, and major.;
- The Internal Revenue Service for purposes of complying with the Taxpayer Relief Act of 1997; and
- Authorized representatives of the Department of Veterans Affairs for students who receive educational assistance from that agency.

### Challenges to the Contents of Education Records

Any student who believes that information contained in his or her education record is inaccurate, misleading, or in violation of his or her rights of privacy, may request that the record be amended. If the University determines not to amend a student's record as requested, the student has the right to a hearing to challenge the contents of the contested record. If, after the hearing, the University still declines to amend the record to the student's satisfaction, the student has the right to place in the record a statement setting forth his or her position relating to the contested record. The student's statement is to become a permanent part of his or her education record.

### Directory Information

**Directory information** is defined under [Definitions](#), above. A student who so wishes has the right to prevent the release of this information. Students may suppress the release of all information including verification of enrollment, or may suppress selected directory information, either to the Boston College community or to the general public. In order to do so, students must enter "privacy preferences" in [AGORA](#), Boston College's secured intranet environment. To ensure suppression in print directories, this must be done by the end of the first week of enrollment, after which the suppression indicators may be changed for online directories at any time.

If "privacy preferences" are not entered by a student, the release of information from the web-based directory defaults to the following:

- Boston College community: voicemail, e-mail, local address, local telephone listing, academic status, and photograph.
- General public: voicemail, e-mail, local address, local telephone listing, and academic status.

### Annual Notification

Enrolled students are notified each year of their rights, and the procedures for the inspection, correction, and disclosure of information in student records, under FERPA.

### Complaints of Violations

A student who believes that his or her rights under FERPA have been violated may, under the provisions of that law, file a written complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605.

### Waivers

The rights created by this policy may not be waived by a student, except that a student may waive, in writing, his or her right to inspect or review the contents of letters of recommendation that relate to applications to the following:

- Educational institutions
- Places of employment
- An honor or honorary society

The University does not in any way require such waivers, or condition the provision of any service or benefit upon the granting of such waivers.

### **Procedures and Responsibilities**

Each office within the University that maintains student education records is responsible for developing internal operating procedures pertaining to those records that comply with this policy and procedure. The procedures set forth below are minimal requirements for compliance, and are applicable to all areas of the University.

### Student Access to Records

1. Any student who wishes to inspect and review information contained in an education record maintained by any office of the University may, with proper identification, request access to the record from the office responsible for maintaining that record (see [EXHIBIT A, DIRECTORY OF RECORDS](#)). In general, the student is to be granted access to the record as soon as possible and, unless the circumstances require the existence of a formal request, an oral request may be honored.
2. Whenever an office responsible for maintaining education records is unable to respond at once, the student may submit to the Office of Student Services, dean, academic department head, or other appropriate official a written request that identifies the record he or she wishes to inspect.
3. The University official is to provide access within 45 days of the day the University receives the

request, and is to notify the student of the time and place the record may be inspected. If the record is not maintained by the University official to whom the request is submitted, that official is to advise the student of the correct official to whom the request is to be addressed.

4. If the keeper of the education record determines that a portion of the material sought is of a class that should not be disclosed to the student, or cannot be released by law or decree (e.g., copies of transcripts from other institutions; parents' confidential statements; letters of recommendation given with a waiver of access by the student), he or she is to notify the student that such information has been excluded from the record.
5. The review of an education record is to take place within the office responsible for maintaining the record, and in the presence of a staff member of that office.
6. The staff member present at the time of the student's review may, if he or she has the information, respond to a reasonable request for explanations and interpretations of the student's record.
7. If the student is unable to be present to inspect and review a record, the office is to provide copies of those materials in the student's record that may be released. A signed written request is required that specifies the materials to be copied. The institution is under no obligation to provide official copies of transcripts of students who have defaulted on college loans or who have not met their financial obligations to the institution.

#### Requests to Amend Education Records

A student who believes that information contained in his or her education record is inaccurate, misleading, or in violation of his or her rights of privacy, and wishes to amend the record, is to proceed as follows:

1. The student is to write to the University official responsible for the record, clearly identifying the part of the record he or she wants changed, and specifying why it is inaccurate, misleading, or in violation of his or her rights of privacy.
2. This procedure does not cover a request by a student to alter a grade, except in those cases where a student seeks to correct an error in the recording of a grade. Similarly, the procedure is not available as a means of collateral appeal of University decisions such as disciplinary actions.
3. After receiving a request to amend a student record, the record keeper is to investigate the matter and attempt to resolve the problem with the student on an informal basis. He or she is to provide the student with a written confirmation of any settlement reached, or of the solution the University proposes if settlement is not possible.
4. If the University decides not to amend the record as requested by the student, the University is to notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures is to be provided to the student when notified of the right to a hearing.

#### Hearing Procedures

1. A student who wishes to commence a formal hearing must submit a written request for a hearing to the Executive Vice President. This request must identify the record to be amended, and must state in summary terms the reasons why the student believes the record should be amended.

2. Within a reasonable time following the receipt of the request for a hearing, the Executive Vice President is to notify the student of the names of three persons nominated by the Executive Vice President as Hearing Officers, and invite the student to select one of the three as the Hearing Officer for the case. No person having a direct interest in the outcome of the hearing is to be nominated as a Hearing Officer. Within two days after receipt of the list of nominees, the student is to inform the Executive Vice President of the person he or she has chosen as the Hearing Officer.
3. If the student believes that none of the persons nominated by the Executive Vice President will afford him or her an impartial hearing, the student may nominate a person of his or her choosing to act as Hearing Officer. However, that nominee must be an employee of the University
4. In the event that the Executive Vice President and the student are unable to agree upon a nominee for Hearing Officer, the following procedure is to be followed:
  - a. The student's nominee is to be selected as the first member of a Hearing Committee that will act in the same capacity as a Hearing Officer.
  - b. The Executive Vice President is to choose the second member of the Hearing Committee.
  - c. The third and final member, who will act as Hearing Officer (Committee Chairperson), is to be selected by the first two members.
5. The Hearing Officer is to set a hearing date that is convenient for the student and the representatives of the University, allowing a reasonable time for preparation of the case.
6. At the hearing, the Hearing Officer (Hearing Committee) is to receive the evidence presented by the student and the University, and may request oral or written argument.
7. The student may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney. When a student decides to be represented by an attorney, he or she must notify the Hearing Officer (Committee Chairperson) of this fact at least five days prior to the hearing.
8. The University may be represented by the keeper of the record in question, or by the official responsible for initial preparation of that record, and/or by University counsel.
9. The Hearing Officer (Hearing Committee) is to submit a written report to the Executive Vice President as soon as possible following the completion of the hearing. The report is to detail the facts found, and is to state the Hearing Officer's (Hearing Committee's) recommended resolution of the student's complaint.
10. The Executive Vice President's decision is to be communicated in writing to the student and to the Hearing Officer within a reasonable period of time, and is not subject to further appeal by the student.

#### Student Statements on the Contents of His or Her Record

1. If, after a hearing, the student is not satisfied with the University's response to his or her request to amend the record, the student has the right to place in his or her education record a statement commenting upon the information contained therein, and/or setting forth any reasons for disagreement with the record and with the University's decision.
2. The University is to retain, in the student's education record, a copy of that statement.
3. If the education record of the student or the contested part thereof is disclosed by the University to any person, the statement submitted by the student is to be disclosed as well.

#### Disclosure to University Officials

1. University officials, including faculty members, are not to access student education records for any purpose other than legitimate educational interest, as defined in this policy. Access is not permitted for purely personal reasons, or for the purpose of obtaining information that will be disclosed subsequently to third parties.
2. Access to education records for research purposes is subject to Boston College Institutional Review Board policies and procedures.
3. Information technology creates special problems relating to the privacy of student records. The following procedures have been established to address these problems:
  - a. The assignment of electronic access to any information contained on the University Student Information System must be approved by the Manager, Student Services Information Systems. The Manager is responsible for maintaining a security system that limits each user's access to information appropriate to that user's needs.
  - b. The Manager is not to permit a University official to have electronic access to a student record system without first securing the approval of the official responsible for maintaining that student record system.
  - c. All requests for electronic or print reports or other data from the Student Information System must be submitted to, and approved by, the University Registrar or his or her designee.

(Please see University policy [I-100-025](#), Use of University Technological and Information Resources, for additional information.)

#### Disclosure to Parents of Students

1. When a student reaches the age of 18, or attends a post-secondary institution regardless of age, FERPA rights transfer to the student. Guidelines for the disclosure of information to parents are as follows:
  - a. Parents may obtain directory information at the discretion of the institution.
  - b. Parents may obtain nondirectory information (e.g., grades, GPA) at the discretion of the institution, and after it is determined that the student is legally dependent on either parent as defined in Section 152 of the Internal Revenue Code. The parent must submit an affidavit stating that the student is claimed as a dependent for income tax purposes in the current tax year.
  - c. A parent may access the information in a student education record if he or she has a signed consent from the student.

#### Disclosure to Third Parties

1. With the exception of the special classes listed under [Access by Third Parties](#) in the **Policy** section, above, the University does not permit disclosure of the personally identifiable information contained in a student record without the student's written consent.
2. The written consent must be signed and dated by the student and must include the following:
  - a. A description of the record for which disclosure is permitted;

- b. The purpose for which disclosure is being permitted;
  - c. The person or class of persons to whom the disclosure may be made.
3. When disclosure is permitted by a student's written consent, he or she is to be provided, upon request, with a copy of the record disclosed.
4. When making disclosures subject to a student's written consent, the University is to attach to the document a notice stating that the disclosure is for the purpose permitted only, and that redisclosure by the party receiving the information is prohibited by the Family Educational Rights and Privacy Act of 1974.
5. The University does not require a student's written consent for the disclosure of personally identifiable information to those persons or categories of persons listed under [Access by Third Parties](#) in the **Policy** section, above.
6. The University does not release information to the persons or categories of persons listed in paragraph 5 above unless the person requesting the information files a written request setting forth valid reasons for obtaining the information in the student record. Those reasons must comply with the provisions of paragraph 5, above.

#### Disclosure of Directory Information

1. A student who wishes to prevent the disclosure of directory information, or prevent the release of any information regarding his or her attendance, must update his or her "privacy preferences" in [AGORA](#), accordingly.
2. The University makes every effort to comply with "privacy preference" settings that request nondisclosure of directory information.
3. The University does not release student directory information to outside parties whose interest is solely for reasons of personal gain, such as vendors, private investigative firms, and salesmen.

#### Waiver of Rights of Access

1. The University is to recognize all waivers of a student's right of access to his or her education record in the case of letters of recommendation for admission, employment, or the awarding of an honor or membership in an honorary society.
2. Letters of recommendation given under assurance of confidentiality, and containing a signed and dated waiver of the right of access, are to be removed temporarily from the student's education record if and when the record is made available to the student for review provided the student, upon request, is informed of the names of persons submitting such confidential letters.

#### Letters of Recommendation Submitted Prior to January 1, 1975

The University does not permit a student to obtain access to letters in his or her education record that were submitted under an assurance of confidentiality, and were received prior to January 1, 1975.

#### Letters of Recommendation

1. University officials who are requested to write a letter of recommendation in aid of an

application for admission to another educational institution, or to a place of employment, or for an award or membership in an honorary society, are to inform the student that he or she may waive his or her right of access to the document for the education records maintained by both Boston College and the institution to which the application is being filed. If no such waiver is given, the student is to have the right to review any letter of recommendation prepared by a University official and maintained in the student's education record.

2. The University is not to condition the provision of any services, including admission to the University or any of its programs, upon the student's waiver of his or her right to obtain access to letters of recommendation, nor is any University official to insist that the student execute a waiver of the right of access as a precondition to the giving of a letter of recommendation.
3. University officials who are requested to write a letter of recommendation for a student must do so with the knowledge that, unless the student waives his or her right of access, the letter of recommendation will be available to the student if it is placed in the education records of the University or in the education records of another educational institution. The official may keep a copy of a letter of recommendation in his or her own personal files, and may refuse to grant the student access.

### Record Keeping Requirements

1. University officials responsible for the maintenance of student education records are responsible for the security of those records. At a minimum, officials are responsible for maintaining the records in files or areas that can be secured, and for limiting access to those records to persons permitted access under this policy.
2. Faculty must protect the confidentiality of social security numbers and grades. Class lists and grade sheets are not to be posted or circulated. If grades are posted, students must be listed randomly and identified by an anonymous code other than the social security number. Graded papers are to be returned directly to the student.
3. University officials are required to maintain an access log for each student education record in their custody. The access log is to be kept with the record of the student. The log is to contain suitable entries that include, for each request and for each disclosure, the names of the persons who have requested and obtained personally identifiable information from the education record of the student, the interest that the person had in obtaining the information (which interest must comply with the provisions of paragraph 5, under [Disclosure to Third Parties](#), above), and the date on which the request and/or disclosure was made.
  - a. It is not necessary to enter in the access log requests and disclosures made to a student, disclosures made pursuant to the written consent of the student, disclosures made to University officials for legitimate educational interests, or disclosures of directory information.
  - b. The access log is to be open to inspection by the student, University officials, and auditors examining the record keeping procedures of the University.
4. University officials responsible for the maintenance of student education records are to maintain with those records any written requests to amend education records, any decision rendered in conjunction with a formal hearing to amend an education record, any statement by the student in connection with the request to amend the record, any and all written letters of consent to access by third parties given by the student, any court orders or subpoenas that direct access be granted to third parties, any written request from a third party for disclosure of information whether or not the request was granted, and any waiver of the right of access given by a student in connection with letters of recommendation (ordinarily waivers of the right of access are to be clipped to the letter of recommendation in question).

## Annual Notification of Rights

The Director of Student Services and the Vice President for Student Affairs are responsible for notifying students annually of their rights under FERPA. At a minimum, annual notice is to appear in the BOSTON COLLEGE BULLETIN and in the [BOSTON COLLEGE STUDENT GUIDE](#). The text of the annual notice is to be substantially as follows:

### STUDENT RIGHTS UNDER FERPA

As a matter of necessity, Boston College continuously records a large number of specific items relating to its students. This information is necessary to support its educational programs as well as to administer housing, athletics, and extracurricular programs. The University also maintains certain records such as employment, financial, and accounting information for its own use and to comply with state and federal regulations. Boston College is committed to protecting the privacy rights of its students and to maintaining the confidentiality of its records. Moreover, the University endorses and complies with the Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the "Buckley Amendment," a federal statute that affords students certain rights with respect to their education records. These rights are as follows:

- The right to inspect and review the student's education record within 45 days of the day the University receives a request for access.

Any student who wishes to inspect and review information contained in an education record maintained by any office of the University may, with proper identification, request access to the record from the office responsible for maintaining that record. In general, the student is to be granted access to the record as soon as possible and, unless the circumstances require the existence of a formal request, an oral request may be honored.

Whenever an office responsible for maintaining education records is unable to respond at once, the student may submit to the Office of Student Services, dean, academic department head, or other appropriate official a written request that identifies the record he or she wishes to inspect. The University official is to make arrangements for access, and is to notify the student of the time and place the record may be inspected. If the record is not maintained by the University official to whom the request is submitted, that official is to advise the student of the correct official to whom the request is to be addressed.

- The right to request the amendment of the student's education record if the student believes that information contained in his or her record is inaccurate, misleading or in violation of his or her rights of privacy.

Any student who believes that information contained in his or her education record is inaccurate, misleading, or in violation of his or her rights of privacy is to write to the University official responsible for the record, clearly identifying the part of the record he or she wants changed, and specifying why it is inaccurate, misleading, or in violation of his or her rights of privacy.

If the University decides not to amend the record as requested by the student, the University is to notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures is to be provided to the student when notified of the right to a hearing.

- The right to consent to the disclosure of personally identifiable information contained in the student's education record, except to the extent that FERPA or other federal statutes authorize disclosure without consent.

One exception that permits disclosure without consent is disclosure to University officials with legitimate educational interests. A University 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 (such as an attorney, auditor, or collection agent); 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 University official in performing his or her tasks.

A University official has a legitimate educational interest if the official requires access an education record in order to fulfill his or her professional responsibility. Upon request, the University may disclose education records without consent to officials of another educational institution in which a student seeks or intends to enroll.

- 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.

Written complaints should be directed to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C., 20202-4605.

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#### CONFIDENTIALITY OF STUDENT RECORDS

Certain personally identifiable information from a student's education record, designated by Boston College as directory information, may be released without the student's prior consent. This information includes name; term, home, local, and electronic mail addresses; telephone listing; date and place of birth; photograph; major field of study; enrollment status; grade level; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; school/college of enrollment; anticipated date of graduation; degrees and awards received; the most recent previous educational agency or institution attended; and other similar information.

Electronic access to selected directory information is available to both the Boston College community and the general public. A student who so wishes has the right to prevent the release of all directory information including verification of enrollment, or to suppress selected directory information. In order to do so, students must enter "privacy preferences" in [AGORA](#), Boston College's secured intranet environment. This must be done by the end of the first week of enrollment. Suppression is available by selecting "U-View" and "Privacy Preferences." All nondirectory information is considered confidential and will not be released to outside inquiries without the express written consent of the student.

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#### DISCLOSURES TO PARENTS OF STUDENTS

When a student reaches the age of 18, or attends a postsecondary institution regardless of age, FERPA rights transfer to the student. Guidelines for the disclosure of information to parents are as follows:

- Parents may obtain directory information at the discretion of the institution.>
- Parents may obtain nondirectory information (e.g., grades, GPA) at the discretion of the institution, and after it is determined that the student is legally dependent on either parent.
- Parents may also obtain nondirectory information if they have a signed consent from the student.

**Title: Student Education Records -- Directory of Records**

**Code: 4-730-005**

**Date: 3-15-04rev**

## EXHIBIT A

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### Introduction

Records are maintained by many offices throughout the University. They are maintained on applicants for admission to Boston College, on current students, and on former students. Students or others seeking access to education records should understand that the information available, and the person or office responsible for maintaining a particular record, can change as the status of the student changes from applicant to student to former student.

The purpose of this directory is to provide students and others with a general understanding of the record keeping process at Boston College, and to provide a single source of general information on the types and locations of student records that are maintained and the person or office responsible for their maintenance. More detailed information pertaining to a particular category of records listed below is available from the responsible person or office listed. Inquiries concerning student records that are not listed may be addressed to the Director of Student Services.

### Applicant Records

Records compiled on applicants seeking admission to one of the various schools of the University are maintained by the office responsible for making the admissions decision. All undergraduate admissions records are centrally compiled and maintained by a single office. When an accepted applicant indicates his or her intention to attend Boston College, those records are transferred to the Dean's Office of the school in which the student is accepted. Graduate, Law, and College of Advancing Studies admissions records are compiled and maintained by the individual school to which the applicant is applying, and remain the responsibility of the Dean's Office of that school for all matriculated students. Admissions records become part of the student's permanent academic folder, and are maintained by the Dean's Office while the student is active; they are transferred to the Office of Student Services and retained for five years by the Registrar when the student graduates or withdraws from the University. At the applicant stage, admissions records are the responsibility of the offices listed below:

- Office of Undergraduate Admission
- Graduate School of Arts and Sciences
- Lynch School of Education
- Connell School of Nursing
- Carroll Graduate School of Management Dean's Office
- Carroll Graduate School of Management Department Offices
- Law School Admission Office
- Graduate School of Social Work
- College of Advancing Studies

### Active Student Records

As an individual's status changes from applicant to active student, certain basic files and records evolve to record the student's activities. Every student has a permanent folder, an official academic

record, and a financial record. The level of other record keeping activity varies with each student. The major record keeping activity at the University is done electronically, although hard copy files are generally maintained for limited periods of time for audit purposes. The student's permanent folder contains applicant information, and a record of advisement activity that has taken place between the student and the department or school in which the student is enrolled. Permanent folders are maintained by the responsible Dean's Office or Department. These include the following:

- College of Arts and Sciences
- Graduate School of Arts and Sciences
- Graduate Arts and Sciences Department Offices
- Lynch School of Education
- Connell School of Nursing
- Carroll School of Management
- Carroll Graduate School of Management
- Law School
- Graduate School of Social Work
- College of Advancing Studies

The active student's official academic record, financial record, and directory information are maintained by the Office of Student Services. The offices responsible for other administrative record keeping that may involve students are listed below.

- Athletic Association
- Career Center
- University Counseling
- Dining Services
- Health Services
- Human Resources Service Center
- Center for International Partnerships and Programs
- Boston College Police
- Office of Residential Life
- Office of the Dean for Student Development
- Office of Student Services
- AHANA; Learning Resources for Student Athletes; and other offices that provide academic support services

The above is not intended as an all-inclusive listing of the education records that may be maintained on an active student. Grades are maintained by individual professors; membership rosters of clubs and organizations list participants; applications for temporary employment at the University that have been filed by students list personal data; and so on. However, the persons listed should be able to respond to most inquiries concerning student records.

## Former Student Records

When a student graduates or withdraws from the University, the record keeping requirements are reduced. The student's official academic records are maintained indefinitely by the Office of Student Services. Financial records are also maintained by the Office of Student Services. The academic folders of inactive students are retained in the Office of Student Services for five years after the student's graduation or date of last enrollment. Basic directory type information on all alumni is maintained by the Development Office. An official list of all graduates is maintained by the Office of the University Secretary; a record of all marriages performed at Boston College is maintained by the University Chaplain's Office. Information on former students may be found in many records that are ultimately transferred to the University Archives. Any data that pertains to students that is maintained on computer files is retained and stored indefinitely by Computer Operations. Although many of the offices previously listed as maintaining records that pertain to active students will continue to retain those records for short periods of time following the student's change of status from active to inactive, the key offices responsible for maintaining records on former students include the following:

- University Archives
- Campus Ministry
- Computer Operations
- Development Office Information Services
- Office of the Dean for Student Development
- Office of Student Services
- Office of the University Secretary

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Posted: March 29, 2004

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