

## **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) 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.

The following explains the procedures used by Polytechnic Institute of NYU for compliance with the Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment. Under FERPA, students at NYU:Poly are afforded certain rights with respect to their education records. A student is defined as any individual who is or has been in attendance at NYU:Poly and regarding whom NYU:Poly maintains education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the Institute receives a written request for access. Students should submit the request to the Registrar that identifies the record they wish to inspect. The Institute official 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 Institute official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. The Institute has the right to prohibit students from reviewing and inspecting education records that include the financial records of their parents, as well as those records consisting of confidential letters and statements of recommendation regarding their admission to the Institute, their application for employment or their receipt of an honor or honorary recognition.

2. The right to request the amendment of education records that the student believes is inaccurate, misleading or in violation of his/her right to privacy. Students may ask the Institute to amend a record that they believe is inaccurate. They should write the Institute official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the Institute is in agreement with the student's request to amend his/her record, the record in question will be amended accordingly and the student will be informed of the amendment in writing. If the Institute decides not to amend the record as requested by the student, the Institute will 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 will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes the Institute to disclose without the student's consent. Consent to disclosures of personally identifiable information must be done by the student in a written request to the Registrar's Office.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Institute to comply with the requirements of FERPA.

### **Release of Information**

1. NYU:Poly must have written permission from the student in order to release any personally identifiable information from his/her education records. In addition, the Institute may disclose personally identifiable information, without consent, to

the following parties or under the following conditions (34 CFR § 99.31):

- a) Other schools to which a student seeks enrollment;
- b) Where disclosure is to certain federal, state and local authorities;
- c) Where disclosure is in connection with financial aid for which the student has applied or received;
- d) Where disclosure is in connection with studies being conducted for or on behalf of the Institute;
- e) Where disclosure is made to accrediting organizations;
- f) To comply with a judicial order or lawfully issued subpoena;
- g) Appropriate officials in cases of health and safety emergencies;
- h) Information designated as "directory information";
- i) Where the information disclosed is the final results of a disciplinary hearing, and the disclosure is made to an alleged victim of a crime of violence or non-forcible sex offense; and
- j) To parents or legal guardians regarding a violation of any federal, state, local law or Institute policy governing the use or possession of alcohol or a controlled substance if a student is under the age of 21 and if the Institute determines that the student has committed such violation.

2. FERPA permits the release of directory information to third parties outside NYU:Poly without prior written consent, provided that students have been given the opportunity to withhold such disclosure. NYU:Poly reserves the right to disclose the following directory information related to a student without consent:
  - a) student's name,
  - b) class year,
  - c) major field of study, as well as similar information (i.e. title of master's or doctoral dissertation, distinguished academic performance),
  - d) participation in recognized activities and sports,
  - e) dates of attendance at NYU:Poly,
  - f) degrees, honors and awards, and
  - g) most recent previous educational institution attended.
3. All requests for information must be supported by identifying and /or authenticating documents.
4. NYU:Poly must inform students about directory information and allow them a reasonable amount of time to request that the Institute not disclose directory information to requesting parties.
5. NYU:Poly must notify students annually of their rights under FERPA. The actual means of notification (such as, but not limited to, special letter, student handbook, or newspaper article) is left to the discretion of NYU:Poly.
6. Students can request that NYU:Poly not disclose directory information about them through the Registrar's Office.

If you have questions about FERPA and your rights as a student at Polytechnic Institute of NYU, please contact

Registrar  
Jacobs Building , Room 256  
Six MetroTech Center  
Brooklyn, NY 11201  
718-260-3486

Or

Student Development  
Jacobs Building, Room 158  
Six Metro Tech Center  
Brooklyn, NY 11201  
718-260-3800



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