

To all University of Wisconsin - Whitewater Students:

The *Family Educational Rights and Privacy Act of 1974 (FERPA)* is a federal law designed to protect the privacy of educational records. FERPA provides you with certain rights with respect to your education record. These rights include:

1. **The right to inspect and review your education record** within 45 days after the day the University of Wisconsin - Whitewater receives your request for access. Your education record is a record that (1) directly relates to you, and (2) is maintained by the University of Wisconsin - Whitewater or by a party acting for the University of Wisconsin - Whitewater.
 - a. A student may request to review his/her education record by submitting a written and signed request to the Registrar's Office indicating which records the student wishes to review. The Registrar will review the request, make arrangements for access and notify the student of when and where the records can be inspected.
2. **The right to request an amendment of your education record** if you believe it is inaccurate, misleading, or otherwise in violation of your privacy rights under FERPA.
 - a. A student who wishes to ask the University to amend his/her education record must submit a written request to the Registrar's Office identifying the record to be amended and the reason you believe the record is inaccurate, misleading, or in violation of your privacy rights under FERPA. The Registrar's Office will review the request and notify you of its decision. If the Registrar's Office agrees that the record is inaccurate, misleading, or in violation of your privacy rights under FERPA, it will make the amendment and notify you of its decision. If the Registrar's Office decides to not amend the record, it will inform the student of the process to request an appeal for further consideration.
3. **The right to provide written consent** before the University of Wisconsin - Whitewater discloses Personally Identifiable Information (PII) from our education record, except to the extent FERPA authorizes disclosure without consent. Exceptions to disclosure without consent include:
 - a. To school officials with "legitimate educational interests." A school official has a legitimate educational interest if the official has a "need to know" information from your education record in order to fulfill his/her official responsibilities. School officials may include University of Wisconsin - Whitewater employees, as well as contractors, consultants, volunteers, or other parties who perform university services or function if the party performs institutional service or functions for the which the university would otherwise use employees, and if the party is under the direct control of the university with respect to the use and maintenance of the education records. Examples of people who may have access, depending on their official duties, and only within the context of those duties, include, but is not limited to: university faculty and staff, agents of the institution, contractors performing university service or functions under existing contract or agreement, students employed by the institution or who serve on official institutional committees, and representatives of agencies under contract with the University, such as UW Whitewater Police Department.
 - b. Disclosure of directory information to anyone. Directory information is information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information at the University of Wisconsin - Whitewater includes the following: student name, address, email address, telephone number (excluding cell), dates of attendance (including term units carried and full-time/part-time status), classification (e.g. sophomore, senior, graduate student), major/minor/degree program, degrees and dates of graduation including anticipated graduation dates, previous institutions attended, awards and academic honors,

participation in officially recognized sports and activities, and physical factors (weight and height) of members of athletic teams.

- c. If you are under the age of 21, FERPA permits the University of Wisconsin - Whitewater to inform your parent/guardian if you are found in violation of alcohol or drug policy outlined in the Student Handbook.
- d. Disclosure to other institutions: The university may disclose your education records to other agencies or institutions in which you seek or intend to enroll, or are already enrolled, if the other agency or institution requests your records and the records are provided only for purposes related to your enrollment or transfer. Further, the University of Wisconsin System Board of Regents has a policy (UWS 17) which requires the University of Wisconsin - Whitewater to note any suspension or expulsion from the university for Nonacademic Disciplinary misconduct on the transcript.
- e. There are also additional circumstances in which we may be allowed or required to disclose your education records to third parties without your knowledge or consent. You can find the reason in [34 C.F.R. § 99.31](#).

A student may restrict the release of directory information by filling out an [Authorization to Restrict Records](#) with the Registrar's Office.

Please note that the University receives many inquiries for directory information from a variety of sources outside the institution, including friends, parents, relatives, prospective employers, the news media, honor societies, and companies. Having an Authorization to Restrict Records will preclude release of such information, even to those requestors.

4. **The right to file a complaint** with the U.S. Department of Education concerning alleged failures by the University of Wisconsin - Whitewater 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 Ave, SW
Washington, DC 20202

[NOTE: In addition, a school may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

See the list below of the disclosures that postsecondary institutions may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within University of Wisconsin – Whitewater whom the university has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))

- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- 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 the university'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)
- In connection with financial aid for which the student has applied or which the student has 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))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" under § 99.37. (§ 99.31(a)(11))
- 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))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school 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 allegation made against him or her. (§ 99.31(a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

Questions regarding these rights or FERPA should be directed to the Registrar's Office at 262-472-1570 or through email at registrar@uww.edu.