

University of Maine at Farmington: FERPA for Students

What is FERPA?

The Family Educational Rights and Privacy Act of 1974 (FERPA) protects the privacy of student information. Under this Act, students have the right to inspect and review their education records and have the right to challenge records when they are inaccurate, misleading, or otherwise in violation of the student's privacy rights.

Application of the Act

This Act applies to students presently enrolled at UMF, former students, and alumni, but not to applicants seeking admission to the institution.

Directory Information

The University of Maine at Farmington has designated certain information contained in the education records of its students as directory information for purposes of FERPA. Such directory information may be publicly shared by the University unless the student has taken formal action to restrict its release.

Directory information includes:

- Name*
- Mailing Address**
- University email
- Program of study
- Dates of attendance
- Degrees and awards received (including dates)
- Most recent previous educational institution attended
- Participation in sports and activities
- Class level
- Enrollment status (full-time or part-time)
- Appropriate personal athletic statistical data

* If a student provides a preferred/chosen name, that will be considered Directory Information instead of the legal name. The University will use/release the legal name in cases where the use of the legal name is required (e.g. State and Federal reporting, subpoenas, tax documents, etc.)

** Each student's home address recorded at the time of admission will be, by default, used as their "Mailing Address" for Directory Information purposes until/unless they provide a separate, specific "Mailing Address". Once a student has done so, only that address will be used for Directory Information from that point forward.

Students can make a formal request to the Registrar's Office and Merrill Center that their directory information not be released at any time while they are an enrolled student at the University. The request will be honored until such time as the student requests otherwise in writing. In the event that such written notification is not filed, the University assumes that the student does not object to the release of the directory information. Once a student is no longer enrolled at the University, they can no longer request that their directory information not be released.

Release of Directory Information

Students have three choices pertaining to the release of directory information:

- Release all directory information (default)
- Do not release any directory information
- Release all directory information except address (including email address)

For information on how to change your directory information release preference in MaineStreet, [see this quick guide](#).

Considerations to be made when selecting "Do not release any directory information":

- The restriction is permanent, unless/until revoked in writing.
- Bypassing the restriction requires written permission, and verification of your identity, for each request stating the exact circumstance(s) and person(s) with whom UMF is permitted to share directory information.

- Students' directory information is excluded from mass information releases to third parties and from University publications.
 - Note that this will prevent information being shared for positive publications like Dean's List, induction into honor societies, commencement programs, acknowledgements in local newspapers, etc.
- Requestors seeking information for a specific student (e.g. insurance and loan companies, parents, potential employers, etc.) will be informed that UMF has no information to give them on that individual, as we are not permitted to disclose/confirm that they are a student at all.
 - Note that this could negatively impact degree verifications and/or pre-employment checks.

Student Consent to Release Information

Students may complete the Student Consent to Release Information form via their MaineStreet Student Center to give written consent for UMF officials to disclose information from their educational records to specified individuals. See below for instructions to complete this form. This consent is permanent and remains in effect until the student revokes it in writing. Once the Registrar's Office and Merrill Center receives notice of the completed consent, the information will be documented and viewable by relevant UMF officials.

To complete the Student Consent to Release Information:

1. Log into MaineStreet at mycampus.maine.edu
2. Under the "UM Quick Links" menu, look for **FERPA Release**. This will take you to the consent form.
3. Enter your MaineStreet Student ID number and then select the magnifying glass next to "Academic Institution" to locate "University of Maine".
4. Complete this form for the first person you want to provide consent to. The answers to the security questions should be **THEIR** answers, not yours. After fully submitting the form, start the process over to provide consent to additional people.

- TIP: Complete this alongside the person or people who you are granting consent to – it's important to make sure their security answers are provided correctly!

Educational Records and Information Maintained

The University does not maintain a single record or file consisting of all materials and information pertaining to students in any one location. Instead, various segments of the record are kept in a variety of offices. The types of records and the custodian of each record is outlined below.

The term “educational records” does not include:

- Records of faculty and administration that are in the sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute.
- Law enforcement records maintained by the University of Maine at Farmington Campus Police, which are kept separate from educational records and which are created by a law enforcement unit for a law enforcement purpose.
- Medical, psychiatric, or psychological records created and used only for the care or treatment of a student. These records may be made available to other appropriate professionals at the written request of the student.
- Employment records, except for records of students employed because of their status as students.
- Records that contain information about a student which is obtained after they are no longer a student.

Type of Record	Office
Academic	Merrill Center – Merrill Hall 224 Main Street
Admission – Undergraduate	Admissions Office 246 Main Street
Athletics	Athletics Office – Dearborn Gymnasium 163 High Street
Mental Health & Counseling and Disability Services	Franklin Hall 252 Main Street

Financial Aid	Merrill Center - Merrill Hall 224 Main Street
International Students	International and Exchange Programs - Franklin Hall 252 Main Street
Medical and Health	Student Health Center - Scott Hall 245 Main Street
Placement	Learning Assistance Center - Franklin Hall 252 Main Street
Veterans	Merrill Center - Merrill Hall 224 Main Street
Law Enforcement	Public Safety 112 Maguire Street

Student Rights

The Family Educational Rights and Privacy Act (FERPA) gives students certain rights with respect to their education records.

1. The right to inspect and review the student's education records.
 - A request by a student or agency to inspect a record shall be made in writing to the office which maintains the record. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student or agency of the correct official to whom the request should be addressed.
 - Every office is obligated to inform the student when the requested record will be made available. The office has up to 45 days to respond. In most instances, the response will be made promptly.
 - Students are obligated to properly identify themselves (valid government-issued photo identification or student identification card) before being shown their record.
 - Students are obligated not to interfere with the normal operation of the office in which the record is being maintained.
 - Students are obligated to examine the record during regular hours maintained by the particular office.
 - Prior to giving a student their record for examination, all confidential data received prior to January 1, 1975, any information waived by the

student, any information pertaining to other students, and any financial records of parents will be removed.

- The examination of the record shall be supervised.
 - Copies of records shall, upon request, be transmitted to the student after payment of established fees for such copies, unless payment of the fee prevents access.
2. The right to request the amendment of the student's education records that the student believes to be inaccurate, misleading, or in violation of the student's rights of privacy.
- For purposes of this policy, a student may not challenge the judgement of a grade which has been assigned to their performance in a course but may challenge the accuracy of the recording of a grade.
 - The student should discuss their objection (submitted in writing) with the designated person in the office where their records are maintained and try to resolve the problem through informal discussion.
 - If no agreement is reached through informal discussion, the student should submit their object in writing to the official to whom that person reports to be followed by further discussion.
 - If the student is still not satisfied, they should submit their object in writing to the appropriate vice president or their designee.
 - If no satisfactory solution is forthcoming, the student should file a written request for a formal hearing with the Associate Provost for Undergraduate Education.
 - Upon receipt of a written request for a formal hearing, the Provost will appoint a panel of three members to hear the object and advise them. The Provost will appoint one of the panelists to serve as chairperson. Once appointed, the panel will hold a hearing within two calendar weeks. The panel must provide an opportunity for a presentation of evidence relative to the objection stated and must render a decision in writing to the Provost within one week following the conclusion of the hearing. The Provost must inform the student in writing within ten working days of any amendment made, or of the decision not to amend the record. If the decision is not to amend, the student has the

right to place a statement in the record commenting on the contested information.

3. The right to provide written consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The University of Maine at Farmington will disclose information from a student's education records only with the written consent of the student, except for disclosures to the following:

- To school officials with legitimate education interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, support staff (including UMF Campus Police, Career Center, and Student Health Services), or coaching position; a person or company with whom the University has contracted (such as an attorney, auditor, the National Student Clearinghouse, or collection agent); a person serving on the Board of Trustees; a University volunteer working under the supervision of another school official; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.
- To authorized federal or state officials in connection with an audit or evaluation of federal or state supported educational programs.
- To state or local officials pursuant to state statute concerning the juvenile justice system.
- Records released in connection with the student's application for, or receipt of, financial aid.
- Organizations conducting studies on behalf of educational agencies in connection with predictive tests, student financial aid programs, and the improvement of instruction provided that the identity of students is not revealed to anyone other than representatives of such organizations. Such information will be destroyed when no longer needed for the purpose of which it is conducted.

- Recognized accrediting organizations in order to carry out their accrediting functions.
- Records released on the basis of judicial order or lawfully issued subpoena and on condition that every effort is made to notify the student of the subpoena or order, except where a court or other issuing agency has ordered that there be no notification.
- In an emergency, appropriate persons as determined by the custodian of the records, if the knowledge of information from the particular record is necessary to protect the health or safety of the student or other persons.
- Disclosure to another educational institution where the student seeks or intends to enroll.
- Disclosure of directory information.
- Disclosure to the student.
- Disclosure of the final results of a disciplinary hearing to the victim of an alleged crime of violence or non-forcible sex offense.
- Disclosure of the final results of a disciplinary hearing involving an alleged crime of violence or non-forcible sex offense where a violation was committed.
- Disclosure in a legal action between the institution and the student.

NOTE: It is the long-standing practice of the University of Maine at Farmington NOT to release student conduct records without a signed release from the student.

Records released to any individual or group shall be transmitted on condition that the individual or group is informed that they may not permit any other party to have access to such information without the written consent of the student. The recipient shall also be notified in writing that if compliance with this requirement is not acceptable, all records shall be returned, unused, to the institution. The prohibition on the re-release of records does not apply in the case of disclosures of directory information; disclosures pursuant to a subpoena, court order or litigation; disclosures to the student; or disclosures of the final results of a disciplinary hearing involving an alleged crime of violence or non-forcible sex offense where a violation was committed.

Each office that maintains educational records shall maintain a record for each student with that student's education record. The record shall list all individuals (except institution officials and court of law enforcement officials described above), agencies or organizations which have requested or obtained access to and each disclosure of the student's education record.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Maine to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:

Office of the Chief Privacy Officer
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

Disclosures by Faculty and Staff

Under FERPA UMF personnel are permitted to disclose Directory Information from an education record to any party, at their discretion, unless a student has opted in writing to restrict that information. FERPA restricts the disclosure of all non-Directory Information (e.g. grades/GPA, ID number, financial aid awards, student conduct records, etc.) to third parties, requiring UMF personnel to disclose such protected information only to the student themselves, and only when their identity has been confirmed.

When a student provides written consent to discuss or release non-Directory Information to one or more third parties, under FERPA UMF personnel are then *permitted to do so at their discretion*. Even with written consent/authorization provided, UMF personnel are under no obligation, and cannot be compelled, to either:

- A. Disclose any information from an education record to, or in the presence of, any third parties, even if the relevant student is present and has permitted those third parties to be present for, or speak during, a particular conversation, or

B. Respond to any questions or comments pertaining to an education record from any third parties during any conversation.

In the case that UMF personnel have elected to begin discussing education records in the presence of any student-authorized third parties they may, at any time, exercise their discretion and either:

A. limit the scope of a conversation, to whatever degree they deem appropriate, in the presence of any/all third parties, or

B. pause and/or terminate a conversation until such a time they are satisfied those persons are no longer present and/or able to hear the conversation.

Expunging Records

The official academic record of a student is maintained in perpetuity by the institution. The Registrar's Office and Merrill Center is the custodian of this record, which is primarily available via the official transcript. Items reflected on the official transcript are not expunged. No other record is officially designated as a permanent record.

Other records can be expunged at the discretion of specific department heads wherein a record resides. For example, the Office of Admissions expunges records of applicants who do not enroll after two years, while records of applicants who do enroll are maintained in perpetuity. The Office of Student Financial Aid expunges records five years after the student's last academic year of attendance. It should be noted that access rights shall be honored prior to the destruction of records where the student has requested such access. Departments and offices which maintain educational records may have specific policies regarding access to and retention of such records which are consistent with this policy and FERPA. Students seeking information about those specific policies should contact the particular department or office which is the custodian of the record.