

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

The Family Educational Rights and Privacy Act of 1974, as amended (“FERPA”) is a federal law that gives students certain rights with respect to their education records.

### **Education Records**

Harvard Divinity School routinely maintains records for its students that describe and document their work and progress. These education records generally include records such as permanent and local addresses, admissions records, enrollment status, course grades, reports and evaluations, completion of requirements and progress toward the degree, records of disciplinary actions, letters of recommendation, and other correspondence with or concerning the student.

### **Access**

To be useful, students’ records must be accurate and complete. The officials who maintain them are those in charge of the functions reflected in the records and the offices where the records are kept. These ordinarily include the Registrar of Harvard Divinity School. All students have access to their own education records and may contribute to them if they feel there is need for clarification. Students wishing access to their education records should contact the Registrar’s Office of Harvard Divinity School. Ordinarily, students are asked to submit a written request that identifies the specific record or records he/she wishes to inspect. Access will be given within 45 days from the receipt of the request. When a record contains information about more than one student, the student requesting access may inspect and review only the portion of the record relating to him or her. Students also are not permitted to view letters and statements of recommendation to which they waived their right of access, or that were placed in their file before January 1, 1975.

Students should direct any questions they have about the accuracy of records to the person in charge of the office where the records are kept. If questions still remain, the matter may be referred to the Registrar of Harvard Divinity School. If necessary, a hearing may be held to resolve challenges concerning the accuracy of records in those cases where informal discussions have not satisfactorily settled the questions raised.

### **Directory Information**

Harvard Divinity School regards the following information as “directory information,” that is, information that, under FERPA, can be made available to the general public: a student’s full name and reported date of birth; current address and telephone number; email address; program, dates of attendance, awards granted, and expected date of graduation; previous schools attended and degrees earned or expected with field of study and date of degree; and photograph captured for the HUID card. Please note that Harvard University’s definition of “directory information,” found at: [http://policy.security.harvard.edu/files/it-security-2/files/ferpa\\_directory\\_information\\_advisory.pdf](http://policy.security.harvard.edu/files/it-security-2/files/ferpa_directory_information_advisory.pdf) may include elements in addition to those used by Harvard Divinity School, and that requests for directory information received at the University level thus may result in disclosure of such additional elements. Students may direct Harvard Divinity School not to disclose their directory information, usually known as putting in place a “FERPA Block.” To do so, a student must inform the Registrar of Harvard Divinity School, in writing, of that decision. Students should be aware of the possible consequences of putting in place a FERPA Block, such as missed mailings, messages, and announcements, non- verification of enrollment or degree status, and non-inclusion in the Harvard

Commencement booklet. Students who have previously chosen to put in place a FERPA Block may decide to reverse this decision, also by informing the Registrar of Harvard Divinity School in writing.

### **Other Disclosures permitted under FERPA**

In addition to permitting the disclosure of directory information, as set forth above, FERPA permits disclosure of educational records without a student's knowledge or consent under certain circumstances. For example, disclosure is permitted to Harvard officials with a legitimate educational interest in the records, meaning that the person needs the information in order to fulfill his or her professional responsibilities, including instructional, supervisory, advisory, administrative, academic or research, staff support or other duties. "Harvard officials" include: faculty; administrators; clerical employees; professional employees; Harvard University Health Services staff members; Harvard University Police Department officers; agents of the University, such as independent contractors performing functions on behalf of Harvard Divinity School or the University; members of Harvard's governing boards; and students serving on an official Harvard Divinity School or University committee, or assisting another Harvard official in performing his or her tasks. A student's education record also may be shared with parties outside the University under certain conditions, including, for example, in situations involving a health and safety emergency. In addition, Harvard Divinity School will forward a student's education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

If Harvard Divinity School finds that a student has committed a disciplinary violation involving a crime of violence or a non-forcible sex offense, then it also may, if legally permitted and in the Harvard Divinity School's judgment appropriate, disclose certain information about the disciplinary case. The disclosure may include the student's name, the violation committed, and the sanction imposed.

### **Student Rights under FERPA**

As set forth above, under both Harvard policy and FERPA, students and former students may inspect and review certain of their education records that are maintained by Harvard. They also have the right to: exercise limited control over other people's access to their education records; seek to correct their education records if they believe them to be inaccurate, misleading or otherwise in violation of their FERPA rights; file a complaint with the U.S. Department of Education if they believe Harvard has not complied with the requirements of FERPA; and be fully informed of their rights under FERPA. Complaints regarding alleged violation of rights of students under FERPA may be submitted in writing within 180 days to the Family Policy Compliance Office, US Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-5920.