

Family Educational Rights and Privacy Act

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

Definitions

For purposes of this notification, the Friedman School of Nutrition Science and Policy at Tufts University, uses the following definitions of terms.

Student – any person who attends or has attended the Friedman School, Tufts University. Persons admitted but never matriculated are not considered students.

Education records – any record (in handwriting, print, tapes, film, electronic, or other medium) maintained by the university or an agent of the university that is directly related to a student, except:

- A personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
- An employment record of an individual, whose employment is not contingent on the fact that he or she is a student, provided the record is used only in relation to the individual's employment.
- Records which are created and maintained by Public Safety for law enforcement purposes.
- Records made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity and which are used only in connection with the treatment of a student and which are disclosed only to individuals providing that treatment.
- Alumni records that contain information about a student after he or she is no longer in attendance at the university and which do not relate to the person as a student.

The initial record kept by the Friedman School consists of material provided directly by you or by other persons or agencies at your request to the Admissions Office. Beginning in the Fall, 1975, letters of recommendation written on your behalf are deleted once you have matriculated, but the names of authors are retained. The remaining information includes application form, complete college transcript, transcripts from any other colleges you may have attended and standard test scores (GRE, TOEFL, MCAT, etc.). Thereafter, your file grows to include any or all of the following:

- Tufts transcript
- transcripts from other colleges or programs
- notifications from faculty of grade change (make-up exams, errors, etc.)
- forms or letters regarding status
- copies of correspondence with Administrators

- letters of recommendation
- reports concerning incomplete courses
- records of student request to view file
- statements that you may have entered into the records on your own behalf
- copies of enrollment certifications sent on your behalf and
- transcript request forms

In many instances a student may have received copies of the particular item or have been notified of the action taken. Many of these items are purged from a file upon completion of all degree requirements.

School official – 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 school official in performing his or her tasks.

Legitimate educational interest indicates the need of a school official to review an education record in order to fulfill his or her professional responsibility.

The following are the student’s rights provided under FERPA:

(1) The right to inspect and review the student’s education records within 45 days of the day the University receives a request for access.

Students should submit a written request that specifically identifies the education record(s) they wish to inspect to the custodian of the record as indicated in the chart below. An official within the department that receives the request 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 University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. A student may read any recommendation in his/her files unless the right to do so has been waived in writing.

The following is a list of the types of education records that the university maintains; the location(s) of such records; and their custodians (or the custodian’s designee):

Types	Education Records	
	Location	Custodian
Academic Records/Advising Records (progress, advising, evaluations)	Office of Student Affairs, Friedman School	Registrar, Friedman
Admissions File	Office of Student Affairs, Friedman School	Associate Director of Admissions/Registrar, Friedman

Types	Location	Custodian
Enrollment Records	Office of Student Affairs, Friedman School	Registrar, Friedman
Career Services Records	Office of Student Affairs, Friedman School	Associate Director of Student Affairs, Friedman
Counseling & Testing Records*	Student Advisory & Health Administration	Director, Student Advisory & Health Administration (SAHA)
Cumulative Academic Records (grades, transcripts)	Office of Student Affairs, Friedman School	Registrar, Friedman
Disciplinary Records	Office of Student Affairs, Friedman School	Registrar, Friedman
Financial Records	Health Sciences Bursar, Posner Hall Boston	Tufts University Bursar
Financial Aid Records	Financial Aid, 136 Harrison Avenue Boston	Director of Financial Aid
Health Records*	Student Advisory & Health Administration	Director, SAHA
Miscellaneous Records (student education records not included in the above list)	Contact the Office of Student Services	

* Health and counseling records are maintained by the University Health Service and the Counseling Center and are available only to health professionals. A professional designated by the student in writing may see that student's records. **(2) The right to request the amendment of the student's education records that the student believes is inaccurate, misleading or otherwise in violation of his or her privacy rights.**

A student may ask the University to amend a record that the student believes is inaccurate or misleading. The student should write to the Friedman School Registrar, clearly identify the part of the record they want changed, and specify why the student believes the record is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. If an agreement to make changes in the records cannot be reached between the student and the individual maintaining the file, the student may appeal to the Program Director for a hearing by a board of disinterested persons chosen for that purpose.

The hearing will be conducted in accordance with the procedures set forth in the regulations and statement of policy of Tufts University.

If as a result of the hearing the University decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the student's privacy rights, the student shall have the right to place in the education records a statement commenting on the contested information in the record or the reason(s) the student disagrees with the decision of the University.

A student may not challenge a grade given through this procedure, only the accurate recording of the grade.

(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 disclosure without consent.

Personally identifiable information from the education records of a student will be disclosed by the university upon the prior written consent or request of the student. The written consent or request must (a) specify the records that may be disclosed; (b) state the purpose of the disclosure and (c) identify the party or class of parties to whom the disclosure may be made.

However, the university may disclose information without the prior written consent of the student in the following circumstances:

1. To school officials with a legitimate educational interest in the records.
2. To officials of another school, at the request of those officials, in which a student seeks or intends to enroll.
3. To certain officials of the U.S. Department of Education, the U.S. Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs.
4. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. To organizations conducting certain studies for or on behalf of the university.
6. To accrediting organizations to carry out their functions.
7. To either of two parents when at least one parent has claimed the student as a dependent for income tax purposes. A certified copy of the parents' most recent Federal Income Tax Form may be required to verify dependency.
8. To comply with a valid court order or subpoena or to comply with federal law (e.g., the USA Patriot Act).
9. To appropriate parties in a health or safety emergency.
10. To a victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense, the final results of a disciplinary proceeding conducted by the university with respect to that alleged crime or offense. The university may disclose the final results of the disciplinary proceeding, regardless of whether it concluded a violation was committed.
11. Directory information so designated by the university.

12. To parents of students under the age of 21 when laws or university policies regarding alcohol or drugs are violated.
13. To a court or administrative agency in the event of legal action between the university and a student.

Directory Information

“Directory information” is personally identifiable information about students in attendance at the university that may be disclosed without the prior consent of the student, subject to the right of the student to inform the university in writing that all “directory information” with respect to him or her shall not be so disclosed, as discussed below.

The university has designated each of the following items as “directory information”:

- the student’s name(s)
- address – local and permanent
- telephone number(s)
- E-mail address
- photo
- date and place of birth
- major field(s) of study
- current enrollment status
- participation in officially recognized activities
- dates of attendance
- degrees, awards and academic honors received
- previous educational institution(s) attended

Students may restrict the release of directory information, except to school officials with legitimate educational interests and to others as permitted by law. In order to restrict the release of such records, a student must make a request in writing to the Office of Student of Student Affairs at the Friedman School by September 30 each year.

(4) 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.

The name and address of the federal agency that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Disposition of Records

Applications and related material for persons not accepted are retained by the Admissions Office for two years and then destroyed. After a student separates from Tufts for any reason, including

graduation, the folders are retained intact in the Registrar's Office for five years. Student records include, but are not limited to applications; university academic transcripts; notices of admission, re-admission, denial; records of grade changes; and correspondence.

After the five years following graduation from the Friedman School at Tufts University, student records are archived and typically the following materials are retained:

- Transcripts
- Record of grade changes
- Competency assessments
- Narrative evaluations
- Grade sheet

For policies in connection with the disposition of records maintained by course instructors or program directors, consult the individual departments. All present and former students have the right to review materials retained. Any request to review records must be made through the individual responsible for that record. All material is restricted to use by authorized university personnel or to release, only on the written permission of the individual involved, unless release is permitted by the Act and regulations. Requests to view records should be submitted to the Registrar. E-mail requests will not be accepted.

Rights as an Alumnus/a

All rights which you possess as a student concerning your records remain with you after you leave Tufts. This applies only to those records which pertain to you as a student which are accumulated during your enrollment in the University.