



**THE GEORGE  
WASHINGTON  
UNIVERSITY**  
WASHINGTON, DC

**Responsible University Official:**  
Registrar  
**Responsible Office:** Office of the  
Registrar  
**Last Revised Date:** June 24, 2014

## **PRIVACY OF STUDENT RECORDS**

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### **Policy Statement**

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The university and its faculty and staff will protect the privacy of students’ education records as required by federal law and regulations and as set forth in this policy. Eligible parents and students of record in attendance at the university will receive annual notice of their rights under the Family Educational Rights and Privacy Act of 1974, as amended, (FERPA) by appropriate methods, which may include publication in the [Guide to Student Rights and Responsibilities](#) and electronic publication on the university website.

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### **Reason for Policy**

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The following statement of policy and procedures has been adopted in compliance with the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended.

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### **Who is Governed by this Policy**

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Faculty, staff and students

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## **Policy**

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### **Right to Inspect and Review Student Education Records**

Any student who attends or has attended The George Washington University shall have the right to inspect and review the student's education records, as defined in FERPA, within 45 days of the day the university receives a request for access. An education record is any record that is directly related to a student and maintained by the university or by a party acting for the university. Students should submit to the university Registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The school 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 school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. Parents of a "dependent" student, as defined by the Internal Revenue Code, who complete a written declaration of financial dependency form, which is available from the Office of the Registrar, may be similarly granted access to that student's education records.

Under FERPA, certain records are not considered education records and, therefore, are excluded from inspection. The following records fall into this category and will not be made available:

- A. Financial records of parents.
- B. Confidential letters and statements of recommendation entered in the education record after January 1, 1975, to which the student has waived right of access.
- C. Personal notes of institutional, supervisory and educational personnel.
- D. Campus law enforcement records, except reports of investigations and incidents that have been forwarded for action or information to other school officials.
- E. Employee files, if the student is employed by the university.

- F. Medical, psychological-counseling and psychiatric records, or case notes maintained by appropriate professional personnel. (However, upon request, the student may have any such records reviewed by a physician or other appropriate professional of the student's choice.)
- G. Admissions records on file in other component units (of the university) in which the student has not yet been enrolled.
- H. Alumni records that contain information about a student after he or she is no longer in attendance at GW and that do not relate back to when he or she was a student.

### **Requirement to Authenticate Requestor Identity**

When a student requests access to his or her education records, faculty and staff must verify or "authenticate" the identity of that student before releasing the education records. The student's identity may be authenticated as follows:

- A. For in-person requests, picture identification may be used (such as a driver's license, state identification card, passport, or GWorld Card);
- B. For requests by telephone the student's identity may be confirmed via a combination of the GWID number plus some other authenticating information unique to that student (such as birth date or period of attendance).

In the event a request for a student's education records is made by an individual other than that student, contact the Office of the Registrar before releasing any information. When such requests are submitted directly to the Office of the Registrar, Student Account Services, Colonial Central, or the Office of Student Financial Assistance, personnel in those departments may release the information in accordance with that department's authentication procedures.

### **Right to Request Amendment of Records**

Any student shall have the right to request the amendment of that student's education records, if he or she believes they are inaccurate or misleading. A proper request to correct a student's education record must:

- A. Be written to the school official responsible for the record;
- B. Clearly identify the part of the record they want to be changed; and
- C. Specify why the record is inaccurate or misleading.

Any written request which does not include the required information will not be considered and the requestor will be notified in writing that the request was not made properly. Upon receipt of a proper request for amendment, the university will make a prompt determination within a reasonable time, but not more than thirty days, as to whether the proposed correction is accepted or rejected. The student will be notified in writing that the amendment has occurred or that the request is denied. A

letter denying the request will state the reasons for the decision and notify the student of the right to request a hearing. Additional information regarding the hearing procedures may be obtained from the Office of the Registrar.

### **When Consent is Required to Disclose Personally Identifiable Information from Student Records**

Any student has the right to consent to disclosures of personally identifiable information contained in that student's education records, except to the extent that FERPA authorizes disclosure without consent. This consent remains in effect until a written rescission is submitted to the Office of the Registrar.

FERPA permits disclosure without a student's consent to school officials with legitimate educational interests in a student's education record. A school official is a person employed by the university in an administrative, supervisory, academic, 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. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. In addition, the university may disclose education records without a student's consent to officials of another institution in which a student seeks or intends to enroll.

The university may also disclose records to parents of a student, if the student is younger than 21 and charged with violating any laws or university policies regarding the use or possession of alcohol or controlled substances, or in connection with a health or safety emergency.

Disciplinary records are considered education records and may be disclosed, without consent, to:

- A. An alleged victim of a crime of violence when the disclosure is the results of a disciplinary hearing regarding the alleged perpetrator of that crime with respect to that crime, regardless of whether the alleged perpetrator was found in violation of the Student Code of Conduct
- B. Anyone requesting the final results of a disciplinary hearing against an alleged perpetrator who has been found in violation of the Student Code of Conduct relating to a crime of violence or non-forcible sex offense

For purposes of this exception, final results include only the name of the student, the basic nature of the violation the student was found to have committed, and a description and the duration of any sanction imposed against the student.

The Office of the Senior Vice President and General Counsel should be consulted prior to the release of the disciplinary record related to a crime of violence or non-forcible sexual offense. Questions about exceptions should be directed to the Office of the Registrar.

FERPA also provides the university with discretion to release directory information without a student's consent to anyone making a request. Directory information includes the following: student's name; local address (including e-mail); telephone numbers; likenesses used in university publications including photographs; name and address of emergency contact; date of birth; dates of attendance; school or division of enrollment; enrollment status; field of study; class, credit hours earned; degrees earned; honors received; participation in university recognized organizations and activities (including intercollegiate athletics); and height, weight, and age of members of athletic teams. Note that this list may change from time to time.

Any student who does not wish directory information released must file written notice to this effect in the Office of the Registrar.

Absent a court order to the contrary, the university is generally required to make a reasonable effort to notify the student in the event of a subpoena of his or her record or a judicial order requiring the release of such data. (Please see section VI. below regarding exceptions to the FERPA disclosure requirements as required under the USA PATRIOT Act of 2001.)

### **Right to File a Complaint**

A student has the right to file a complaint with the Department of Education concerning alleged failure by the university to comply with the requirements of FERPA. Complaints should be filed in writing to the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

### **USA PATRIOT Act of 2001 and FERPA**

The USA PATRIOT Act of 2001 amended FERPA to allow for an additional circumstance under which an institution may disclose student records to law enforcement officials without violating FERPA. Specifically, an institution does not violate FERPA if it discloses education records without the student's consent or knowledge to the U.S. Attorney General or his designee in response to an ex parte order related to a terrorism investigation or crime. The institution does not need to make a record of the disclosure. Further, a college or university is not liable to any person for good faith disclosure of education records in response to such an order. GW complies with

such provisions, and employees who receive such orders should forward them immediately to the Office of the Senior Vice President and General Counsel for review and response, in accordance with the [Procedures Governing Summonses, Subpoenas, Lawsuits, Notices and Letters from Lawyers](#).

The USA PATRIOT Act also mandated the establishment, implementation, and expansion of the federal government's electronic student visa-monitoring program. As of January 30, 2003, higher education institutions were required to begin reporting data on non-immigrant students and visitors in the F, J, and M visa classifications via an electronic internet-based reporting system called SEVIS (Student and Exchange Visitor Information System). Most of the data to be reported by higher education institutions in SEVIS is that which institutions were already required to maintain under prior immigration regulations. Compliance with SEVIS does not violate FERPA and does not require foreign student or scholar consent. GW complies with the SEVIS reporting requirements.

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## Forms

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[Certification of Financial Dependency](#)

[Office of Registrar Confidentiality Request](#)

[Student Consent for Release of Information](#)

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## Related Information

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[Guide to Student Rights and Responsibilities](#)

[Health Information Privacy Policy](#)

[Procedures Governing Summonses, Subpoenas, Lawsuits, Notices and Letters from Lawyers](#)

[The George Washington University Privacy Policy Statement](#)

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## Contacts

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Contact	Telephone	Email
Office of the Registrar	202-994-4900	<a href="mailto:registrar@gwu.edu">registrar@gwu.edu</a>

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## Document History

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- **Last Reviewed Date:** March 29, 2018
- **Last Revised Date:** June 24, 2014
- **Policy Origination Date:** 1974

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## Who Approved This Policy

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Louis H. Katz, Executive Vice President and Treasurer

Steven Lerman, Provost and Executive Vice President for Academic Affairs

Beth Nolan, Senior Vice President and General Counsel

*This policy, as well as all [university policies](#), are located on the [Office of Compliance's](#) home page.*

# **Appendix A: Confidentiality of Student Education Records- Annual Statement**

## **GUIDELINES FOR RELEASE OF STUDENT INFORMATION**

### **Conditions for Student Access**

The university must use reasonable methods to identify and authenticate the identities of students to whom education records are disclosed and may request multiple forms of identification, which should include:

- A. Presentation by the student of a picture Identification Card, or
- B. Receipt of a signed and dated request from the student.

### **Conditions for Parent and Third Party Access**

- A. The university must use reasonable methods to identify and authenticate the identities of parents, school officials, and third parties to whom education records are disclosed.

### **Students must NOT be allowed access to:**

- A. Education records that contain information on more than one student (the student may review only the specific information about himself or herself).
- B. Faculty: be especially aware that posting of grades or exam results by name, social security number, and/or partial or complete student ID is not permitted.
- C. Financial records of the student's parents.
- D. Letters of recommendation or references received after January 1, 1975, for which the right of inspection has been waived.

## **DIRECTORY INFORMATION**

The following is considered DIRECTORY INFORMATION and is available to the public UNLESS the student has formally requested that this information be held private/confidential.

Student's name, local address (including e-mail), telephone numbers, likenesses used in university publications including photographs, name and address of emergency contact, date of birth, dates of attendance, school or division of enrollment, enrollment status, field of study, class, credit hours earned, degrees earned, honors received, participation in university recognized organizations and activities (including intercollegiate athletics), and height, weight and age of members of athletic teams. Note that this list may change from time to time.

## **TO REQUEST NON-DISCLOSURE OF DIRECTORY INFORMATION**

This designated Directory Information is subject to release by the university at any time unless the university (Office of the Registrar) received prior written objection from the student. Currently enrolled students may withhold such disclosure of directory information by filing a request form with the Registrar's Office. Once a student requests confidentiality it will remain on the record, until it is rescinded.

## **RELEASE OF EDUCATION RECORDS**

The university is authorized to provide access to student records to school officials and employees who have a legitimate educational interest in such access, without the student's written consent. These persons are those who have responsibilities in connection with campus academic, administrative or service functions and who have reason to use student records connected with their campus or other related academic/administrative responsibilities as opposed to a personal or private interest. Such determination will be made on a case-by-case basis.

School officials will release educational information upon receipt of a signed, dated, written consent of the student, which must specify the records that may be disclosed and identify the party to whom the disclosure may be made.

Parents of a dependent student, as defined by the Internal Revenue Code of 1954, Section 152, and who supply supporting documentation, may be granted access to a student's educational record under some circumstances.

Other circumstances that allow access to a student's educational record:

In connection with Financial Aid; to organizations conducting studies on behalf of educational agencies; to Federal or State educational authorities; to accrediting organizations; in compliance with a lawfully issued subpoena; in connection with a health or safety emergency.

Non-school individuals (including parents except as described above) may not have access to education records other than Directory Information, unless authorization from the student is obtained or a lawfully issued subpoena/court order is issued to the university.

Examples of data items NOT released: grades; grade point average; the specific number of hours/credits enrolled, passed or failed; social security number; names of parents or next of kin. PLEASE NOTE: POSTING OF GRADES BY SOCIAL SECURITY NUMBER OR GWID NUMBER IS A VIOLATION OF FERPA!

## **CONSEQUENCES OF VIOLATING THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

Certain consequences are possible, if an individual is found in non-compliance with these rules and regulations, as defined by FERPA:

- A. Unsatisfactory performance appraisal for the employee, consistent with the personnel policies of the university;
- B. Accountability of the employee in a court of law (confidentiality and privacy requirements are regulated by Federal law);
- C. Possible loss to the university of available funds under Federal programs administered by the Secretary of Education.

Complaints of FERPA violation(s) may be filed by students with the Family Policy & Compliance Office, Department of Education, 400 Maryland Ave., SW Washington, DC 20202-5901.

The above are interpretative guidelines only. For clarification and further detail or any specific question you may have, please write to the University Registrar, Office of the Registrar, Rice Hall, 2121 Eye St. NW, Suite 301, Washington, D.C. 20052; or send an e-mail inquiry to [registrar@gwu.edu](mailto:registrar@gwu.edu).