FERPA PROCEDURES

Terms used below have the same definition as the RIT Education Records Policy, D15.0.

Inspect and Review Education Records

A. **Written Request for Access.** Students have the right to inspect and review their Education Records within forty-five (45) days following RIT's receipt of a written request for access. For the purpose of this policy, RIT considers a Student to be in attendance at RIT beginning on the day in which the Student pays their tuition deposit or otherwise confirms their intent to enroll according to their specific enrollment instructions. All requests for transcripts shall be made in accordance with the procedures found at https://www.rit.edu/academicaffairs/registrar/transcripts. All written requests for access to Education Records that are not transcripts shall be presented to the Office of the Registrar by the Student and shall identify the specific records the Student wishes to inspect. Students may use the list of departments and the types of Education Records maintained by RIT listed in these procedures, for purposes of identifying the specific records to be inspected. The Office of the Registrar shall obtain the specific records the Student wishes to inspect from the appropriate departments. RIT will verify the Student's identity at the time of inspection or pick-up using their school or government issued identification. Departments may charge a reasonable fee for copies of Education Records, if requested, but they will not charge for the search for, retrieval of, or viewing of the education records. RIT is not required to provide information that is not maintained or to create Education Records in response to a Student's request.

B. **Limitations to the Right to Inspect and Review.** There are limitations regarding the right to inspect and review education records. If a Student's Education Record contains information relating to other Students, an inspection and review will only be allowed regarding the specific information about that Student. Also, the right to inspect and review records does not extend to Education Records that are:

    1. Parental financial records provided in conjunction with applications for financial aid;

    2. Confidential letters or statements of recommendation placed in the Education Records of the Student prior to January 1, 1975, provided that the letters are used for no purposes other than those for which they were originally intended.

    3. Confidential letters or statements of recommendation placed in the Education Records after January 1, 1975, if the student has waived his or her right to inspect such letters or statements.

    4. Attorney client privileged information.

    5. Records excluded from the definition of Education Records (See D15.0(III)(E)).

C. **Circumstances Preventing Right to Inspect and Review.** Where circumstances effectively prevent the Student from exercising the right to inspect and review their Education Records in person, RIT, shall:

1. Provide the Student with a copy of the Education Records requested; or

2. Make other arrangements for the Student to inspect and review the requested Education Records.

Where copies of education records will be provided to a Student without them physically presenting identification at RIT, RIT will require the Student to provide a copy of their school or government identification. RIT will then use the provided identification to cross-check the information against the student's file to verify their identity before sending the requested educational records.

D. **Requests for Explanations and Interpretations.** RIT will respond to reasonable requests for explanations and interpretations of the Student's Education Records.

Correct and Amend Education Records

A. **Written Request for Amendment.** All written requests for correction or amendment of a Student's Education Record shall be presented to the Office of the Registrar by the Student. The written request shall specifically state the Education Record the Student believes to be inaccurate, misleading, or in violation of the Student's privacy rights. This written request shall commence the informal process for correcting or amending a Student's Education Record. The RIT Registrar shall respond to the written request for correction or amendment of Education Records within a reasonable time after receipt of the written request. If a Student is unable to resolve disputes or concerns over their Education Records in an informal manner, the Student shall be afforded the opportunity for a hearing to challenge any materials contained within the Education Records, to request correction or deletion of any inaccurate or misleading factual data contained within the Education Records, and to insert any written explanation concerning the contents of the Education Records deemed appropriate by the Student.

B. **Right to a Hearing.** Students have the right to a hearing to challenge the content of the Student's Education Records on the grounds that the information contained in the Education Records is inaccurate, misleading, or in violation of the Student's privacy rights. Such hearings are for the sole purpose of guaranteeing the factual accuracy of Education Records.

1. The hearing shall be held within a reasonable time after receipt of a written request for a hearing and only after attempts at an informal resolution have failed and RIT decides not to amend the Education Records as requested.

2. A written notice shall be provided to the Student which gives notice of the date, time, and place of the hearing. The notice shall be provided to the Student reasonably in advance of the hearing.

3. The Registrar, or an administrative official who does not have a direct interest in the outcome of the hearing, shall preside over the hearing.

4. The Student shall be afforded with a full and fair opportunity to present evidence relevant to the request for correction or amendment of the Education Record.

5. The Student may be assisted or represented by one or more individuals of their own choice, including an attorney.

6. The decision of the hearing officer shall be in writing and delivered to the Student within a reasonable time after the conclusion of the hearing. It shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

Disclosure of Education Records

A. **Disclosure with Student Consent.** In addition to a Student's own written request for access to their Education Records, Students may permit a third-party to access their Educational Records by executing a FERPA Consent to Release Student Information. This form must include the specific records to be released to the specified third-party, the reasons for such release, and the date upon which the consent is expected to expire. Students may choose to release some but not all of their Education Records. Where a Student does not make such a request in person, RIT will require the Student to provide a copy of their school or government identification. RIT will then use the provided identification to cross-check the information against the student's file to verify their identity before releasing the Educational Records to a third-party.

B. **Disclosure without Student Consent.** RIT may disclose Personally Identifiable Information in an Education Record without student consent:

1. When the Disclosure contains information identified as Directory Information;

2. To comply with judicial orders or lawful subpoenas. A reasonable effort will be made to notify the Student that their Education Records will be released;

3. To school officials with legitimate education interests. For purposes of this exception:

   a. A school official is any person employed by RIT in any administrative, supervisory, academic or research position, or support staff position, or any person or company with whom RIT has contracted to provide a service to or on behalf of RIT. This may include students employed by RIT to perform the aforementioned functions.

   b. A school official has a legitimate education interest if the official must review the Education Record in order to fulfill the official's professional responsibility to RIT.

4. To parents of a Dependent Student;

5. To parents of a nondependent Student the final results of a disciplinary hearing related to the use or possession of alcohol or a controlled substance if the Student is under the age of twenty-one (21) at the time of the Disclosure to the parents and is found to have violated federal, state, or local laws or RIT policies. Additionally, RIT's policy and process for notifying a parent, guardian, or emergency contact of such violation, as required by Section 6438-D to the New York State Education Law ("Beau's Law"), is set forth in RIT Policy D18.1, Section (IV).

6. In cases of emergency where information is necessary or will assist in protecting the health or safety of the student or other persons. In such cases, RIT will record and document the:

    a. Articulable and significant threat to the health or safety of a student or others that formed the basis of the disclosure; and

    b. Parties to whom the disclosure was made.

7. To officials of schools in which a Student seeks enrollment or intends to enroll as long as the Student:

    a. Is notified of the Disclosure, provided that the Disclosure was not initiated by the Student;

    b. Is provided a copy of the Education Records disclosed if requested; and

    c. Provided an opportunity for a hearing, if requested, to challenge the Education Records and/or its Disclosure before they are released.

8. In connection with a student's application for or receipt of financial aid;

9. To authorized federal or state education authorities in compliance with state or federal laws;

10. To accrediting agencies and organizations conducting studies relating to testing, student aid programs or improving instruction, provided the Education Records released do not permit personal identification of students or their parents and the information is destroyed when no longer needed for the specific study for which it was released.

11. To the victim of an alleged perpetrator of a crime of violence or non-forcible sex offense concerning the final results of a disciplinary hearing with respect to the alleged crime;

12. To any third party the final results of a disciplinary hearing related to a crime of violence or non-forcible sex offense if the student who is the alleged perpetrator is found to have violated RIT's rules or policies;

13. To any third party Disclosures relating to sex offenders and other individuals required to register under applicable federal, state, and local laws.

C. **De-identified Information.** RIT may disclose, without a Student's consent, Education Records that contain de-identified information. An Education Record is considered de-identified when all Personally Identifiable Information has been removed and a determination is made

by either RIT or the third party receiving the de-identified information that a Student's identity is not personally identifiable.

D. **Directory Information.** RIT may disclose, without a Student's consent, Directory Information. Students wishing to prevent RIT from disclosing the Student's Directory Information can provide written notification to the Office of the Registrar at any time. This notification shall only be effective prospectively. Students who do not wish to have their address (or other information) made public must notify the Office of the Registrar annually by no later than September 1st.

Recordkeeping Requirements

A. **Record of Request and Access.** RIT will log and maintain a record of each request for access to and each Disclosure of a Student's Personally Identifiable Information from their Education Records. RIT will maintain the record of access or Disclosure with the student's Education Records for as long as the records are maintained. For each request and Disclosure the log shall include the name of the third party requesting the Education Records and to whom the Disclosure was made. The log shall also include the legitimate interests the third parties had in requesting or obtaining the information. A Student has the right to review the log.

B. **Unrecorded Requests and Access.** RIT is not required to log and maintain a record of requests for access to and Disclosures of a Student's Personally Identifiable Information from their Education Records if the request or Disclosure was to:

1. The Student;
2. The parent of a Dependent Student;
3. A school official with legitimate educational interests;
4. A third party with written consent from the Student or a parent of a Dependent Student;
5. A third party seeking Directory Information; or
6. A third party in accordance with a subpoena or court order prohibiting notification of the subpoena or court order.

Location of Education Records

The list of departments that maintain education records may include, but is not limited to the following: This information may be used by the Student to identify Education Records for purposes of review, inspection, correction, or amendment.

A. **Registrar:** The Office of the Registrar maintains the official academic records of all students, past or present. Students are granted access to these records, except for confidential letters of recommendation.

B. **Academic Departments:** Academic records are also kept in the specific departmental offices of the academic programs in which students are enrolled. Students have access rights to these records, except for confidential letters of recommendation. Students have no access rights to the personal files, records, grade books, etc. maintained by RIT staff or faculty members, for the sole use of the staff or faculty member or their substitute.

C. **Student Affairs:** The following departments within the Division of Student Affairs maintain records on students related to engagement in student engagement activities including NCAA athletics, participation and performance in academic success, wellness, and international programs, disability records, and student conduct disciplinary file. The following offices may house educational records that would be available for student review:

1. **Student Conduct and Conflict Resolution**

2. **Academic Success Programs** including the Academic Support Center, RIT 365 (Year One Programs), College Restoration Program, and the Spectrum Support Program.

3. **International Programs such as International Student Services and the English Language Center**

4. **Wellness Education Programs**

5. **Engagement programs including Campus Life, Civic Engagement and Leadership, Recreation, and Residence Life**

6. **Intercollegiate Athletics**

7. **Disability Services Office**

D. **Division of Access, Engagement and Success:** Programs managed by the **Division of Access, Engagement and Success** may have student educational records which could be made available and accessible for inspections. Programs include but are not limited to the Higher Education Opportunity Program, I'm First, TRiO Upward Bound, and the Multicultural Center for Academic Success

E. **Cooperative Education & Career Services:** The office maintains student records associated with cooperative education placement activity and reference files in support of graduating student employment efforts. Included are the records associated with the Student Employment Office. All records are available and accessible to students with the exception of those written references to which a Student has voluntarily waived access. Employment records of a Student on a co-op assignment are not considered Education Records.

F. **Office of Financial Aid and Scholarships:** The office maintains files with confidential financial data on Students, parents, and guardians who apply for financial aid. Students have access rights to information they submitted as part of an application for aid. Financial information submitted by Parents will be released to Student only by written Parent request.

G. **RIT Auxiliary Services:** Maintains files containing all materials related to on-campus housing and dining. All records are available to the Student.

H. **Student Financial Services:** The office maintains files containing records relating to charges incurred by Students. All records are available to students with the exception of records containing financial information submitted by Parents. These records can only be released by written Parent request.

Annual Notification

RIT shall notify Students of their rights under FERPA and this policy on an annual basis. The notification shall include information on the Student's right to inspect, review, correct, and amend their Education Records, as well as information relating to Disclosures with and without the Student's consent. Students will also be informed of their right to file a complaint with the U.S. Department of Education concerning alleged violations of FERPA. The name and address of the office that administers FERPA and accepts complaints is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Updated 4/20/2026