

Notification of Student Privacy Rights

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

Student's Right To Inspect/View Educational Records: Henderson State University (HSU) students have the right to inspect and review educational records within 45 days of the day the university receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The university 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 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.

Student's Right To Request Amendment of Educational Records: HSU students have the right to request the amendment of educational records that they believe are inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA. A student who wishes to ask the university to amend a record should write the university official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the university decides not to amend the record as requested, the university will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

Student Right To Prevent Disclosure of Personally Identifiable Information: HSU students have the right to provide written consent before the university discloses personally identifiable information from their educational records, except to the extent that FERPA authorizes disclosure without consent.

- *University Officials With Legitimate Educational Interests:* The university discloses educational records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the university or the Arkansas State University System in an administrative, supervisory, academic or research, or support staff position (including law enforcement personnel, health staff for all students and Department of Athletics staff for members of intercollegiate athletic teams); a person or company with whom the university has contracted as its agent to provide a service instead of using university employees or officials (such as National Student Clearinghouse, an attorney, auditor, collection agent or bookstore); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, an employee assisting another school official in performing his or her tasks, or a school official at another institution that is providing a location for the delivery of university courses. 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 or contractual responsibilities for the university. Upon request, the university also discloses educational records without consent to officials of another school in which a student seeks or intends to enroll.

- *Reddie Bookstore:* The university specifically discloses that pursuant to its contract with BBA Corporation d/b/a “Reddie Bookstore” the university has determined that BBA is a “school official” with a legitimate education interest in receiving certain information about each currently enrolled student so that BBA can provide students with the ability to reserve textbooks remotely. As a result, the university will provide BBA with each currently enrolled student’s identification number and class schedule. Students may refuse to let the university disclose their identification number and class schedule to BBA by providing written notice using the attached form to the Office of the Vice President of Student Services and Student Success by September 13th, 2021.
- Faculty sponsors of registered honor societies may have access to student education records for the sole purpose of determining eligibility for membership on the basis that they are acting in an official university capacity that is integral to the educational function of the university.
- Disclosure without student consent may also be made to other persons and entities as allowed by FERPA such as accrediting agencies and appropriate parties in connection with financial aid to a student (e.g. representatives of scholarship granting entities requiring verification of student information to award aid).

Disclosure With Student Consent. A student may consent in writing to disclosure of education records. The student’s written consent must be signed, dated, and specify which records are to be disclosed, to whom, and for what purpose. The consent must be delivered to the office of the Registrar. The student may retract the consent in writing at any time. Proper proof of identity may be required by the Registrar’s office before consent is retracted.

Military Recruiters

HSU receives federal grants and contracts and, as a result, it is required to comply with a federal law called the “Solomon Amendment.” (10 U.S.C. 1983 § 549). Under the Solomon Amendment, military recruiters may request and receive certain student information (name, address, telephone listing, age or year of birth, academic major and level of education (e.g. freshman, sophomore, etc. or degree awarded) for recruiting purposes. However, if a student has opted out of the disclosure of directory information (following the instructions found below) the university will not provide his or her information to military recruiters.

Student’s Right To File Complaint With U.S Department of Education: HSU students have 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 Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.

Student’s Right To Opt Out of Disclosure of Directory Information: HSU students have the right to opt out of disclosure of directory information. The university may disclose directory information without a student’s prior written consent. HSU defines directory information as

including student name; photograph, video or digital image; classification; participation in officially recognized activities and sports; major field of study; and any degrees, honors or awards received. However, students have the right to refuse to let the university provide directory information by providing written notice by September 13th, 2021, using the form that is linked below. If you wish to Opt Out of Disclosure of Directory Information, please use the following link to the Non-Release of Directory Information form and follow the instructions on the form that is available at:

https://www.hsu.edu/uploads/pages/registrar_and_advising/forms/ferparelease_1920hsu.pdf

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