

Guidance and Form for Student Access to Their Campus Records

Why It Matters

In recent years, virtually every U.S. college and university has purchased or developed on its own an electronic record-keeping system that cross-references all reports on all students and instructs residential and other student services staff members to make regular entries about student behaviors. It could be something a student said, a student's alleged drug use or other statements or actions by one or more students. Many systems even accept anonymous reports from other students as well as from faculty, staff and even third parties not affiliated with the school.

These reports are then used in counseling sessions and disciplinary actions, sometimes at the time a report is made and sometimes in the future if there are additional reports.

Some schools allow a student to file corrective and exculpatory information. Some only allow a student to file corrective information in connection with a disciplinary action that has already been brought against that student, although even here, some schools reject corrective and exculpatory information as not being relevant, etc. Some offices often don't disclose all the information to which they have access, especially information that may come from other offices. This is contrary to federal law, discussed below, which gives students a right to see their files.

It's important for you to know what's in your student records. And be sure to ask for paper-based records in addition to those kept in your school's electronic systems.

Your Rights

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that gives you a right to inspect your records, and even to copy them, in addition to protecting your privacy. There may be state laws that apply as well.

How To Request Access to Your Records

1. Complete and submit a FERPA request form (see the Word document on the next page) to the office that is disclosed at your school's FERPA website. If they don't have such a website, start with the Registrar's Office.
2. Alternatively, use the letter generator found at the "Tools" section of the Student Press Law Center website: <https://splc.org/> and <https://splc.org/ferpa-request/>.

If your school says you need to go office-to-office, tell them that's not acceptable. In the interim, ask which five or so major offices you should start with (Registrar, Dean of Students, Student Services, Residential Education, Community Standards, Title IX, Bias Reporting, etc.).

Name of Requesting Student: _____

Student's Contact Information (U.S. mail, email and phone): _____

Date: _____

Dear [INSERT name of office designated at school's FERPA website; if none is shown, use the Registrar's Office],

Pursuant to the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g), I write to request access to, and a copy of, all documents defined as my "education records" under 34 CFR Section 99.3, including without limitation a complete copy of all files kept in my name or otherwise personally identifying me in any and all university offices; all e-mails, notes, memoranda, video, audio, or other documentary material maintained by any school employee, agent or representative in which I am personally identifiable; and all phone, and other records that relate to me.

I agree to pay any reasonable copying and postage fees up to \$ _____ in total incurred by you in satisfying my request. If the cost would be greater than this amount, please notify me before proceeding with any copying or mailing. However, as FERPA prohibits the imposition of a fee to search for or retrieve the documents requested above (see 34 CFR Section 99.11(b)), please prepare the documents requested above for my review immediately, even if ultimately I choose not to have them copied.

As per 34 CFR Section 99.10(b), these records must be made available for my inspection within a reasonable period of time, but not more than 45 days, following the receipt of this request.

If you choose to redact any portion of any documents responsive to my request, please provide a written explanation for the redaction including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Please be advised that a failure to provide access to these records within the statutory time limit will result in a complaint to the Office of Postsecondary Education.

You can reach me at the email, telephone and other contact information above if you have any questions regarding my request as well as to advise me when the requested records will be available for my review.

Thank you for your assistance.

Sincerely,

Signed: _____