FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT
FERPA

This Legal Advisory provides a general overview of the Family Educational Rights and
Privacy Act (FERPA), also known as the “Buckley Amendment”. FERPA is a federal law that
applies to all colleges and universities (public and private) that receive federal funds
under any program administered by the U. S. Department of Education. It provides
several important rights to students with respect to their educational records. With
limited exceptions, FERPA applies to all records maintained by an educational
institutions, in any format (e.g. paper, electronic, video) that are directly related to one or
more of its current or past students. FERPA provides three basic rights to college
students: 1) right to inspect and consent to disclosure of their education records;
2) right to request corrections to their education records if the information is
inaccurate, misleading or otherwise in violation of the student’s FERPA privacy
rights; and 3) right to restrict access of others to personally identifiable records
(subject to several exceptions).

Texas Southern University (TSU) provides annual notice to its students of their
rights under FERPA (TSU’s Annual FERPA Notice). Included in the annual notice is a
listing of the classes of information TSU has designated as “directory information”. FERPA
allows colleges and universities to release “directory information” without the
student’s consent, unless the student files with the college/university a written request
to withhold “directory information”. The classes of information TSU has designated as
directory include: name, address, telephone number, major and minor fields of study, e-mail
address, date and place of birth, degrees/awards received, dates of attendance, participation
in officially recognized sports and activities, most recent previous education institution
attended, height/weight (athletes only), enrollment status, certificates, type of award
received, grade level and photograph.

FERPA also allows other disclosures without the student’s consent, including
disclosures to university officials/faculty whom TSU has determined to have
legitimate education interests; to the parents of dependent students; to the parents
of a student under age 21 regarding the student’s violation of laws/TSU disciplinary
policies regarding the use or possession of alcohol or controlled substances; in
response to court orders/subpoenas; in response to health/safety emergencies.

As noted, this Legal advisory only provides a general overview of FERPA. For
more comprehensive information regarding FERPA, please visit the Office of
General Counsel web site (GC web address) or call the Office.