STUDENT RIGHTS CONCERNING EDUCATION RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. **The right to inspect and review your education records.**
   Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. If the records are not maintained by the School of Medicine (SOM) official to whom the request was submitted, that official shall advise the student of the correct official to whom a request should be addressed.

   All requests shall be granted or denied in writing within 45 days of receipt. If the request is granted, you will be notified of the time and place where the records may be inspected. If the request is denied or not responded to within 45 days, you may appeal to the SOM’s FERPA appeals officer. Additional information regarding the appeal procedures will be provided to you if a request is denied. A student may inspect records only in the presence of a designated administrator.

**Student Inspection and Review Education Records**

A student may inspect and review his or her education records after making a written request. The School of Medicine may refuse to permit a student to inspect the following education records:

- Records of instructional, supervisory, and administrative personnel which are in the sole possession of the maker of the record and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
- Financial records of a student’s parents
- Letters of recommendation placed in the student’s education record with respect to which a student has waived right of access.
- Portions of education records that contain information about other students.

The CUNY School of Medicine reserves the right to refuse to permit a student to inspect records excluded from the FERPA definition of education records.

2. **The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy right under FERPA**

   You may ask the SOM to amend a record that you believe is inaccurate or misleading. You should write to the SOM official responsible for the record, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading.

   If the SOM decides not to amend the record as requested by you, the SOM will notify you of the decision and advise you of your right to a hearing before the SOM’s FERPA appeals officer regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of your right to a hearing.

3. **The right to consent to disclosure of personally identifiable information contained in your education records, except to the extent that FERPA authorizes disclosure without consent**

   One exception which permits disclosure without consent is disclosure to SOM officials with legitimate educational interest. A SOM official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials; a person serving on the Board of Trustees; a
A SOM official has a legitimate educational interest if access is reasonably necessary in order to perform his/her instructional, research, administrative or other duties and responsibilities. Faculty and staff members are deemed to have a legitimate need for privileged information contained in a student's education record when such information is required for purposes of any internal or external action or proceedings affecting the student or the institution with respect to the student, including proceedings to amend or correct an education record.

Custodians of the records and members of their immediate staffs have right of access at all times.

Faculty and staff members are defined as all members of the CUNY School of Medicine faculty, the executive and administrative officers of the City University New York and the CUNY School of Medicine, including from the Office of University Counsel, and members of their professional staffs, and outside professionals working on a matter with any of the named categories of CUNY School of Medicine employees.

Upon request, the SOM discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

**Covered Records**

An education record includes files, documents, and other materials regularly maintained by the SOM that contain information directly related to a student and that are maintained in connection with the student's attendance at the SOM.

Education records may be released in person or in writing to an inquirer, and only with the written and signed consent of the student, except when FERPA authorizes disclosure without consent as indicated below.

The following information will not be released or disclosed except with a student's signed, written consent, or as provided under the exceptions herein:

- Grades and academic standing
- Evaluations
- Financial aid information
- Social Security number

Exceptions include disclosures:

- of “directory information;”
- to other school officials;
- in a health and safety emergencies;
- to parents of the dependent student;
- in response to subpoenas;
- to officials at another school to which a student has applied;
- or to certain federal, state and local government representatives;
- in connection with financial aid;
- to organizations conducting studies for educational agencies or institutions;
- to accrediting organizations; or
- of certain student disciplinary records concerning crimes of violence or non-forcible sex offenses.

In addition, the SOM will make the following “directory information” concerning current and former students available to those parties having a legitimate interest in the information: a student’s name,
attendance dates (periods of enrollment), telephone number and local address, photograph, e-mail address, full or part-time status, enrollment status (undergraduate, graduate, etc.) including degrees earned or awarded, level of education (credits) completed, honor society memberships, extracurricular activities.

By filing a form with the Registrar’s Office, you may request that any or all of the above directory information not be released without your prior written consent. This form is available in the Registrar’s Office, Harris building, room 102, and may be filed, withdrawn, or modified at any time.

4. **You may appeal the alleged denial of FERPA rights to the:**
   General Counsel and Vice Chancellor for Legal Affairs
   The City University of New York
   205 East 42nd Street
   New York, New York 10017
   email: ogc@cuny.edu

5. **The right to file a complaint with the U.S. Department of Education concerning alleged failures by the SOM 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

**Custody and Location of Records**
Student education records are maintained in the following offices and requests for inspection should be addressed to those offices:

- General records including disciplinary records are maintained in the CUNY School of Medicine Registrar’s Office.

- Financial records for the BS degree are maintained in the CCNY Financial Aid Office and for the MD and MS degrees in the CUNY School of Medicine Office of Financial