SUBJECT: ANNUAL NOTIFICATION OF STUDENT PRIVACY RIGHTS

Dear Student:

*Also, please see the 3 January 2012 special notice from the U.S. Department of Education at the bottom of this message.*

We write today to provide you a brief summary of your privacy rights as a University of Montana (UM) student. The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and Montana law, set forth requirements designed to protect the privacy of student educational records. These laws govern access to records maintained by The Montana University System (MUS) and the release of information from those records. These rights include:

1. The right to inspect and review your education record within 45 days of the day the University receives a request for access. If you want to review your record, contact the UM office that maintains the record to make appropriate arrangements.

2. The right to challenge and request to amend the content of your education record if you believe it is inaccurate or misleading, or otherwise in violation of the student’s privacy rights under FERPA. If you feel there is an error in your record, you should submit a statement to the University official responsible for the record, clearly identifying the part of the record you want changed and specify why it should be changed. That office will notify you of their decision and advise you regarding appropriate steps if you do not agree with the decision. The right to challenge does not apply to grades unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.

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 school officials with “legitimate educational interest.” A school official has a legitimate educational interest if the official has the “need to know” information from your education record in order to meet official responsibilities. Examples of people with such access, depending on their official duties, and only within the context of those duties, include: officials responding to a lawful subpoena or judicial order regarding student records, UM faculty and staff, agents of UM, students employed by UM or who serve on official institutional committees, and representatives of agencies under contract with UM.

4. 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.

Release of student record information is generally not done at UM without the express, written consent of the student. There are, however, some exceptions. For example, UM has designated the following information about students as public (directory) information, which may be released to the public subject to A below.

1. Student name.
2. Addresses (including campus e-mail address).
3. Telephone number.
4. Major field of study.
5. Dates of attendance.
6. Full-Time/Part-Time Status.
7. Date of graduation and degree(s) received.
8. School or College.
9. Major(s).
10. Class.
11. Academic awards or honors.
12. Student photograph and video images.
13. Electronic Personal Identifier (e.g. NETID).
14. Any other UM student records information students have publicly disclosed about themselves regarding their University of Montana educational activities.

A. Students have the right to have the above directory information withheld from the public if they so desire. Each student who wants all directory information to be withheld (including items to be published in the Student Directory) shall so indicate by completing a UM Confidentiality Request Form which can be obtained from the Registrar’s Office website at www.umt.edu/registrar. At least three days should be allowed for processing.

Please note two important details regarding placing a confidentiality block on your record:

1. UM receives many inquiries for directory information from a variety of sources outside the institution, including friends, parents, relatives, prospective employers, the news media and honor societies. Having a confidentiality block on your record will preclude release of such information, even to those people and organizations.

2. A request to withhold directory information from release applies to all elements of directory information on your record. UM does not apply a confidentiality block differentially to the various directory information data elements.

A copy of The Act, more details about Montana Privacy Law as it relates to students, your rights, and any UM policies related to the Act are available at: http://www.umt.edu/registrar/students/studentrights.aspx

Questions concerning FERPA should be referred to the Registrar’s Office.

*3 January 2012 Update to FERPA Annual Notice to Reflect Possible Federal and State Data Collection and Use

As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities (“Federal and State Authorities”) may allow access to your records...
and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Registrar’s Office
14 Sept 2011
Revised 25 June 2012, 4 Sept 2012