

PRIVACY OF STUDENT RECORDS

MIT adheres to the Family Educational Rights and Privacy Act of 1974 (FERPA), a federal law that governs the release of and access to student education records. FERPA affords students the right to have access to their education records, the right to seek to have their records amended, and the right to have some control over the disclosure of personally identifiable information from their education records. In accordance with FERPA, MIT has set the following definitions and policies regarding the release of student education records.

Education Records

Under FERPA, education records are defined as records that are directly related to a student and are maintained by an educational agency or institution, or by a party acting for the agency or institution. Education records can exist in any medium, including: typed, handwritten, digital, computer generated, videotape, audiotape, film, microfilm, microfiche, and email, among others.

As described more fully in FERPA, records that are kept in the sole possession of the maker and not shared with others, certain medical treatment records, law enforcement unit records, certain employment records, and records created or received after an individual is no longer a student and which are not directly related to the individual's attendance as a student are not education records and therefore are not governed by FERPA.

Directory Information

MIT defines directory information as follows:

- Name
- Address (term and permanent)
- MIT office address
- Term phone number
- Term email address
- Date of birth
- Course
- Year and registration type
- Degrees received
- Dates of attendance
- Any honors and awards received
- Height and weight for an intercollegiate athletic team member

In accordance with FERPA, MIT may disclose Directory Information without a student's consent and without a record being made of these disclosures. MIT acknowledges that date of birth, while Directory Information, may be considered somewhat more sensitive to some community members and therefore reasonable efforts

should be made to release date of birth only to those who have a legitimate need to obtain such information.

Students may withhold their Directory Information from disclosure. Information on the procedure to withhold Directory Information (<https://registrar.mit.edu/transcripts-records/records-privacy-access/ferpa/suppressing-directory-information>) is available on the Registrar's Office website.

Disclosure of Education Records

In general, the Institute may not disclose personally identifiable information from a student's education records without the student's prior consent. However, FERPA allows the Institute to disclose such information under the following conditions, among others:

- To Institute officials, staff, and others engaged in activities on behalf of the Institute with a legitimate educational interest
- In connection with a health or safety emergency
- In compliance with a subpoena, provided certain conditions are met
- To officials of other academic institutions to which a student seeks or intends to enroll or in which they are concurrently enrolled
- To authorized representatives of certain federal, state, and local government agencies

MIT does not usually disclose information from education records to a student's parents or guardians unless the student requests or consents to the disclosure. In certain situations, appropriate MIT officials may disclose information when such disclosure seems important for the well-being of the student or others (e.g., in a health or safety emergency).

Schools, academic departments, laboratories, and centers that have long-standing traditions of public disclosure of student work for pedagogical purposes (e.g., products of design studios, collaborative/team class work, and graduate research results and reports) may make such work publicly available, but should bring this to their students' attention in advance, and give them the opportunity to opt out of the disclosure if it will not otherwise constrain the educational process.

Unless otherwise required by law, MIT will not share library circulation records and other records that identify the intellectual pursuits of a student, even within the Institute.

Inspection of Education Records

Students have the right to inspect and review their education records. Requests to inspect records (records@mit.edu? *subject=Inspection of Education Records*) can be submitted to the Registrar's Office. MIT does not maintain education records in any one central office, but the Registrar's Office will provide contact details of the appropriate official in each office to the requesting

student. Requests for access will receive a response within forty-five days, and the student will be notified of the time and place where the records may be inspected.

Unless otherwise permitted or required by law, students may only inspect, review, or be informed of information directly related to themselves. Students do not have the right to access certain records, such as:

- Confidential letters of recommendation if the student has waived the right of access in writing
- Records of Institute faculty and staff members that are made for, and restricted to, their personal use
- Parents' financial records
- Records that also contain information on other students.

Amending Education Records

Students have the right to have their education records maintained accurately and may request amendment of records that they believe are inaccurate, misleading, or in violation of their rights under FERPA. Requests for amendment (*records@mit.edu? subject=Amendment of Education Records*) should be submitted to the custodian of the record or through the Registrar's Office. If the office to which the request is presented decides not to amend the record, the student may request a hearing. If, after such a hearing, the record is not amended, the student may submit a statement to be included with the record commenting on the information and stating disagreement with the decision not to amend the record as requested.

The process of amending records or requesting hearings applies only to information that has been recorded inaccurately, incorrectly, or that violates the student's rights under FERPA. It is not a process to appeal grades or other subjective judgments with which a student disagrees but that have been recorded correctly.

Complaint Procedure

Students have the right to file a complaint with the Family Policy Compliance Office of the US Department of Education concerning alleged failures by the Institute to comply with the requirements of FERPA. Complaints must be submitted within 180 days of the date of the alleged violation or of the date that the student knew or reasonably should have known of the alleged violation, and must contain specific factual allegations giving reasonable cause to believe that a violation of FERPA has occurred. Complaints may be sent to:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605