



**NEW YORK UNIVERSITY**

## **Memorandum**

Date: October 5, 2015

To: Faculty, Administrators, and Staff

From: Provost David W. McLaughlin

Re: University Compliance with the Family Educational Rights and Privacy Act  
("FERPA")

The Family Educational Rights and Privacy Act (FERPA) establishes requirements for the protection of the privacy of students. FERPA and its regulations govern the release of information from student educational records, provide for student access to their records, and establish a means for students to request the amendment of records which they believe are inaccurate, misleading, or otherwise in violation of their rights of privacy. New York University's Guidelines for compliance summarize the rights of the University's students under FERPA and its regulations, as well as the corresponding obligations of the University; they are available [here](#). A brief video and tutorial about FERPA may be viewed by following the same link.

**DISCLOSURE** – Generally, personally identifiable information regarding a student cannot be disclosed without his or her written consent, although there are exceptions to this rule, which are explained in the Guidelines. Information is personally identifiable if it would render a student's identity easily traceable. This includes the student's name, address, social security number or other such identifying number, photograph, or parent's name and/or address. The disclosure of personally identifiable information regarding students in any form to unauthorized individuals or organizations is a violation of both FERPA and University policy, and University employees who engage in such acts may be subject to personnel action. Faculty wishing to use student data for research purposes must obtain prior approval from the University Committee on Activities Involving Human Subjects and obtain the student's written consent.

**EDUCATION RECORDS COVERED UNDER FERPA** – The Guidelines describe those education records covered by FERPA that are available for student review. "Education records" refers to any record or document containing information directly related to a student and is not limited to a file with the student's name on it. It is important to remember that the FERPA regulations pertain to computerized or electronic files, audio

and video tape, photographic images, film, etc., as well as hard copy documents. Further communications and documents distributed or received via e-mail or other similar University systems that are retained in those systems, either by the sending or receiving party, are subject to FERPA disclosure.

Communications using a personal email account, sent to or received from students or with other University employees about students, are also subject to FERPA disclosure. Therefore it is advisable that all University business be conducted only through NYU email accounts.

**STUDENT ACCESS** – Requests by students for access to their education records should be referred to Associate Provost Barnett W. Hamberger at the New York campus, Room 403F, 194 Mercer Street, ext. 82310, or to the appropriate University record review officer listed in Section IV of the Guidelines. The Guidelines also list the FERPA offices for NYU Abu Dhabi and NYU Shanghai. Copies of the Guidelines are available for students on the FERPA website or in the various FERPA offices. If you have a question about the availability of a certain record for a student's review or the form in which the record is to be made available, please contact Mr. Hamberger or the appropriate record review officer, if other than Mr. Hamberger. When legal questions are involved, the record review officer will consult directly with the Office of General Counsel. Please note that students have the right to see original documents in their files.

Please make sure that all employees whom you supervise, including student employees, who have access to personally identifiable information about students are familiar with the University's guidelines for compliance with FERPA. If you or any of your employees have questions about FERPA, please contact Associate Provost Barnett Hamberger or the appropriate FERPA office.