



Confidentiality of Student Education Records

The Family Educational Rights and Privacy Act of 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA), with which New York Medical College complies, was enacted to protect the privacy of education records, to establish the right of students to review their education records, and to provide guidelines for correction of inaccurate or misleading statements.

“Education records,” as defined in the law, include records, files, documents, or other materials in hard copy or in electronic format, maintained by NYMC or a party acting on its behalf, which contain information directly related to a student. There are a number of types of records that are specifically excluded from the scope of the Act, such as records maintained personally by faculty or staff that are not available to others, medical records maintained by the university’s health service, and employment records.

FERPA affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student’s education records within a reasonable period of time, but not more than 45 days after the College receives a request for access. 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. The College official will make arrangements for access and notify the student of the time and place the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the students of the correct official to whom the request should be addressed. A student will ordinarily not be provided with copies of any part of his record other than his transcript, unless the inability to obtain copies would effectively prevent him from exercising his right to inspect and review his education records.
2. The right to request an amendment to the student’s education records that the student believes is inaccurate, misleading, or in violation of the student’s rights of privacy. Students may ask the College to amend a record that they believe is inaccurate. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before the College discloses personally identifiable information contained in the student’s education records. FERPA authorizes disclosure without consent in specific circumstances including
 - a. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College 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 College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Requests for access to student educational records are vetted by the custodian of the record and the employee’s supervisor (where appropriate), in consultation with the Registrar.

b. A second exception that permits disclosure without consent is disclosure of “directory information.” NYMC has established the following student information as public or directory information, which may be disclosed by the institution at its discretion:

- Name
- Address
- E-mail address
- Telephone number
- Date and Place of birth
- School or program attended
- Major field of study
- Photographic, video, or electronic images
- Classification (year level)
- Dates of enrollment
- Full- or part-time enrollment status
- Expected year of graduation
- Degrees, honors and awards conferred and their dates
- Most recent educational agency or school attended
- Residency or other post-completion placements
- User ID or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records
- Annual yearbook and graduation programs
- Membership in registered student clubs and organizations

Students may request that NYMC withhold release of their directory information by notifying the Registrar's Office in writing. Please be advised that such a request will make this information unavailable to prospective employers, licensing boards, insurance companies, and others to whom you may want this information known or verified. Thus it is recommended that students carefully consider whether personal privacy concerns outweigh the potential inconvenience of having directory information withheld.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by NYMC 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 20202-4605.