PRIVACY OF STUDENT RECORDS

MIT’s Student Information Policy governs the circumstances under which, and the persons to whom, student education records—referred to in MIT’s policy as “student information”—may be disclosed, as well as students’ rights to access their own records and to challenge their accuracy. As required by federal law, this policy includes the rights and privacy protections provided by the Family Educational Rights and Privacy Act, often referred to as “FERPA” (Title 20, US Code, section 1232g, and Title 34, Code of Federal Regulations, Part 99).

The following summarizes in general terms the major student rights under FERPA and MIT’s Student Information Policy. For more detailed information, both FERPA and the MIT policy in their entirety should be consulted. The full text of MIT’s Student Information Policy can be found online at MIT’s Policies & Procedures website [http://web.mit.edu/policies/11/sip.html](http://web.mit.edu/policies/11/sip.html) or in printed form at the MIT Libraries and at the MIT Information Center, Room 7-121. The full text of FERPA’s regulations is published on the website of the US Department of Education [http://www2.ed.gov/policy/gen/reg/ferpa.html](http://www2.ed.gov/policy/gen/reg/ferpa.html). MIT has made every effort to provide an accurate summary of FERPA and the Student Information Policy, but in the event of any inconsistencies, the terms of FERPA and the Student Information Policy will govern.

Education Records

Under FERPA, education records include most tangible materials, including computer records, maintained by MIT that relate directly to an identifiable student currently or formerly enrolled at MIT. These include admissions records, grades, most coursework, exams, UROP records, disciplinary records, and financial aid records, as well as gender, nationality, race, ethnicity, and identification photographs. Education records do not include directory information, as described below, or those records of Institute faculty and staff members that are made for, and restricted to, their personal use. Other kinds of information, such as medical and law enforcement records, are also excluded from the definition of education records. These are sometimes governed by other laws and/or policies.

Disclosure

Under FERPA, students’ education records containing personally identifiable information should generally not be disclosed without their permission, except to the extent that an exception in FERPA authorizes disclosure without consent.

Disclosure Within MIT. Under one FERPA exception, personally identifiable information contained in a student’s education records may, without the student’s consent, be disclosed within MIT to Institute officials with a legitimate educational interest, meaning officials who need that specific information in order to fulfill their professional responsibilities. An Institute official is a person employed by the Institute in an administrative, academic or research, supervisory, or support position (including law enforcement unit personnel and health staff); a person or company that acts for the Institute (such as an attorney, auditor, or collection agent); a member of the MIT Corporation; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting other school officials in performing their tasks. In addition, the outcomes of disciplinary proceedings concerning certain crimes of violence, sexual harassment, or other gender-based misconduct may be disclosed.

Disclosure Outside MIT. As a general rule, personally identifiable information contained in a student’s education records may be disclosed to persons outside MIT only with the student’s prior, written consent. FERPA permits MIT to disclose education records without a student’s consent to other schools in which the student seeks enrollment or is enrolled. The student has the right, upon request, to a copy of the records disclosed to another school. Although parents normally are not entitled to review students’ education records without the students’ consent, appropriate MIT representatives may consult with parents and others, including by disclosing information in education records, in connection with a health and safety emergency. Disclosure may also be made without consent in response to subpoenas and court orders.

Directory Information. A student’s name, term and permanent home addresses, MIT office address, term phone number, term email address, Course, year and registration type, degrees received, dates of attendance, date of birth, honors and awards received, and for an intercollegiate athletic team member, height and weight, is designated as a student’s “directory information.” This information may be disclosed within and outside of MIT without a student’s consent. Students have the right to require that some or all of their directory information not be disclosed (except as otherwise permitted under FERPA) by following the instructions on WebSIS. In order to prevent publication in the printed Student Directory published each fall this request must be made at the very beginning of the fall term.

Students’ Access to Their Own Records

A student has the right to inspect and review his or her own education records within 45 days after making a written request to the department or unit that maintains the records, to the registrar, to the Office of the Dean for Undergraduate Education, or to the Office of the Dean for Graduate Education, identifying the records the student wishes to inspect. The appropriate MIT official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the MIT official to whom the request was submitted, that official shall, to the extent reasonably possible, advise the student of the correct official to whom the request should be addressed. The right does not extend to portions of a student’s education records that relate to other identifiable students.
Correction of Records

A student has the right to request the amendment of information in his or her education records that the student believes is inaccurate, misleading, or in violation of the student’s rights of privacy. Such a request may be made to the custodian of the record, to the Office of the Dean for Undergraduate Education, or to the Office of the Dean for Graduate Education and should clearly identify the part of the record the student wants changed, and state why it is inaccurate or misleading. If the requested amendment is not made, MIT will notify the student of this decision and that the student has the right to a hearing concerning the requested amendment. Additional information on the hearing procedures will be provided to the student when he or she is notified of the right to a hearing. If the requested amendment is not made as a result of the hearing, the student may include his or her own statement in the record commenting on the contested information or stating why the student disagrees with the decision not to amend. Because grades and evaluations are the result of academic judgment, they are not subject to this type of challenge.

Right to File Complaint

A student has the right to file a complaint with the US Department of Education concerning alleged failures by MIT to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
US Department of Education
400 Maryland Avenue, SW
Washington DC, 20202-5920