

# **BUFFALO STATE COLLEGE**

## **DIRECTORY OF POLICY STATEMENTS**

Policy Number: V:07:01

Date: 1974

**Updated: February 2006**

Original Policy:

**SUBJECT: Freedom of Information Law**

The Freedom of Information Law went into effect September 1, 1974. It provides everyone the right of public access to records reflecting governmental decisions and policies.

The SUNY Trustees have indicated the following records to which the public may have access:

1. College policies
2. Council minutes, excluding executive sessions
3. Internal and external audits and statistical or factual data.
4. Administrative staff manual and instructions to staff that affect members of the public
5. Police blotter and booking records
6. Name, address, title and salary of all employees

A request for access may be submitted in writing to the duly authorized records access officer, Public Affairs director, GC from 8:30 a.m. to 4:30 p.m. Monday-Friday.

If access is denied, an appeal in writing may be made to the Assistant Vice Chancellor for University Affairs in Albany.

Source of Information: Office of Public Information

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### **Update from February 2006**

**SUBJECT: Freedom of Information Law (FERPA)**

#### **FERPA (Federal Education Rights & Privacy Act)**

##### **Notification of Rights under Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records:

1. The right to inspect and review the student's education records within 45 days of the day 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 where 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 student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records which the student believes are inaccurate or misleading. Students may ask the college to amend a record that they believe is inaccurate or misleading. 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 or misleading.

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 consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. 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 College Council; 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; and National Student Clearinghouse officials. A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility. Upon request, the college discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

Buffalo State hereby designates the following categories of student information as public or directory information. Such information may be disclosed by the institution for any purpose, at its discretion.

- a. Name, address, e-mail address, telephone number, dates of attendance, part-time/full-time status, class, and academic advisor.
- b. Most recent previous institution attended, major field of study, awards, honors (including dean's list), degree(s) conferred (including dates).
- c. Past and present participation in officially recognized sports and activities, physical factors (height, weight of athletes), date and place of birth, photographs.

Currently enrolled students may withhold disclosure of any category of information under the Family Educational Rights and Privacy Act of 1974. To withhold disclosure, written notification must be received by September 15 in the Registrar's Office, Moot Hall, Buffalo State College, 1300 Elmwood Avenue, Buffalo, NY 14222-1095. Nondisclosure of information will commence thereafter and be effective until September 14 of the following year. Written notification to withhold disclosure must be made each academic year.

Buffalo State College assumes that failure on the part of any student to specifically request the withholding of categories of directory information by the deadline date indicates individual approval for disclosure.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Buffalo State to comply with the requirements of FERPA. The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington,

Source: Academic Affairs web site, <http://academicaffairs.buffalostate.edu/your-rights>, February 2006