

Annual Notification of Rights under FERPA

August 17, 2020

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age). These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Duke University receives a request for access. A student should submit to the [Office of the University Registrar](#), a written request that identifies the record(s) the student wishes to inspect. The school 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 school 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 that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask Duke University to amend a record should contact the [Office of the University Registrar](#), clearly identify the part of the record the student wants changed, and specify why it should be changed.

If Duke University decides not to amend the record as requested, Duke University will notify the student in writing of the decision and the student’s 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 Duke University discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Duke University discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is typically includes a person employed by Duke University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Duke University who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for Duke University.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Duke University 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

For more information regarding Duke University Policy and Procedures under the Family Educational Rights and Privacy Act (FERPA), please visit: <https://registrar.duke.edu/student-records-resources/ferpa>.

Frank Blalark, Ph.D.
Associate Vice Provost & University Registrar
1121 West Main Street | Suite 1200 | Durham, NC 27701
Campus Box: 104804
o: 919-684-2813 | f: 919-684-4500