

FERPA & THE WAIVER*

SHOULD YOU SIGN THE WAIVER OR SHOULD YOU NOT?

According to the **Buckley Amendment** (the Family Education Rights and Privacy Act of 1974):

- 1) Students have the right to inspect & review their education records maintained by the school.
- 2) Students have the right to request that the school correct records that the student believes to be inaccurate.
- 3) Schools must have written permission from the student in order to release any information from the student's educational records (waiver).
- 4) Students have the right to keep their records private (go to <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>)
- 5) Students have a right to file a complaint with FERPA

Why might you want to **retain your rights** to see the letter (individual faculty and/or committee)?

- 1) Occasionally, errors may creep into letters; therefore, by not waiving your right to access the letter, you may check the letter for accuracy and be able to request that the letter writer correct any factual errors.
- 2) You will know exactly what the admissions committee members are being told about you.
- 3) You may discover a good or not so good perception about you that you had not previously considered.

To retain your right, check "I DO NOT waive access."

Why might you want to **waive your rights** to see the letter (individual and/or committee)?

- 1) Faculty members may be more hesitant or refuse to write on your behalf if you do not waive your rights.
- 2) The faculty member or Health Professions Advisory Committee may not be as forthcoming or detailed and informative in the assessment of you if you do not waive your rights.
- 3) Some medical school admissions committees may place less weight on a letter that is not waived and may presume, often falsely, that the author of the letter is not completely candid or that the candidate had something to conceal.

To waive your right, check "I DO waive access."

Keep in mind that waiving of your rights is voluntary. You must indicate your decision on both the HPAC waiver form and each form that you provide to your letter writers. If you have further questions, please see Professor Weisse before starting the evaluation process.

*(Note: the language in this summary was based upon Wake Forest University Health Professions Committee and Cornell University Health Professions Advising website.)