



# ASK THE **FERPA** PROFESSORS

Expert answers to your **FERPA** questions.

APRIL 17, 2023

## DEAR FERPA PROFESSORS,

Is there a specific FERPA regulation which stipulates that the Admissions Office does not retain the “admissions portion” of the student record once the student matriculates? My understanding is that, at the point of matriculation, the student record management and security transfers to the control of the Registrar’s Office.

Thank you for your assistance with this question which is “burning” on my campus.  
Ms. January

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## DEAR MS. JANUARY,

Records on applicants at an institution do not meet the definition of "education records" and are thus not subject to FERPA. (See § 99.3 "Education Records" of the FERPA regulations). This is because the applicant does not meet the definition of a "student" at the institution. (See § 99.3 "Student"). If the applicant becomes a student in attendance at the institution and the application records continue to be maintained, those records then become education records subject to FERPA. FERPA, however, does not speak to where those applicant records are maintained by the institution. Thus, where, or even whether, the records are maintained is determined by the institution.

I hope this is helpful in answering your questions. You can find the above-cited regulations on pages 154 and 155 of the 2012 AACRAO FERPA Guide.

## THE FERPA PROFESSORS

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