

FERPA - NOTIFICATION OF STUDENT RIGHTS

The Family Educational Rights and Privacy Act of 1974, as amended (FERPA), is a federal law that protects student information and affords eligible students the following 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 institution receives a request for access.
2. The right to request the amendment of education records the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
3. The right to provide written consent before the institution discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the institution to comply with the requirements of FERPA.

An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution. Following please find a more detailed discussion of each of these rights and guidance regarding the manner in which they may be exercised.

1. The right to inspect and review the student's education records within 45 days of the day the institution receives a request for access.

With certain exceptions, an "education record" is defined under FERPA as any record (1) from which a student can be personally identified and (2) that is maintained by the institution.

A student wishing to inspect his or her education records should submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The school 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 Registrar, the Registrar will advise the student of the correct official to whom the request should be addressed.

Copies of requested educational records will only be provided in the event that circumstances effectively prevent a student from exercising the right to inspect and review the education records requested and no other feasible arrangements can be made. In such instances, a fee may be charged to cover the production of copies.

2. The right to request the amendment of education records the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

To question the accuracy of education records, students should first informally confer with the custodian or originator of the record at issue. A student who then wishes to ask the school to amend a record should write the official responsible for the record, clearly identifying the part of the record that he or she believes should be amended and the basis for why it should be amended.

If the school decides not to amend the record, it will notify the student in writing of the decision and the student's right to a hearing with school officials regarding the request for amendment. Additional information regarding hearing procedures will be provided to the student when notified of the right to a hearing.

Note: The above procedure shall not be available to challenge the validity of a grade or score given by an instructor or any other decision by an instructor or official, but only whether the recording of such grade or decision is accurate or complete.

3. The right to provide written consent before the institution discloses PII from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Students may consent to their school disclosing PII from the student's education record to a third party. This consent must be made to the Registrar, in writing, signed and dated by the student, and must (1) specify the records to be disclosed, (2) state the purpose of the disclosure, (3) and identify the party to whom the disclosure is to be made. This release requirement is applicable to disclosures to parents or other family members who inquire about a student's education record.

To facilitate this process, our school has created a *FERPA Consent to Release Personally Identifiable Information*, which may be obtained from the Registrar. A fee may be imposed for copying a student's record(s) in connection with such a disclosure or release.

Significantly, there are instances in which a school is permitted to disclose a student's education records *without* consent. For example, our school 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 a person employed by us 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 our school who performs an institutional service or 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 has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the institution.

FERPA also permits institutions, within established guidelines, to disclose without a student's consent information the institution deems "directory information." This provision of FERPA enables institutions to provide beneficial services to students such as verifying enrollment for insurance purposes, verifying degrees earned for employment purposes, providing basic contact information so that students may contact each other, and so on. Our school has identified the following items as directory information: name, address, telephone number, e-mail address, dates of attendance, major field of study, credit hours earned, degrees earned, honors and awards received, participation in official school activities, and most recent previous educational agency or institution.

Students may request that directory information not be released. To request restriction of directory information, students should complete a *Request to Restrict Release of Student Directory Information* form, which can be obtained from, and once completed, should be submitted to, the Registrar.

Additional examples of instances in which our school might disclose a student's education records *without* consent include, but are not limited to: compliance with a judicial order or pursuant to a lawfully issued subpoena; to officials of another school in which the student is enrolled or seeks or intends to enroll (in these cases our school intends to forward the information upon request); in the event of a health or safety emergency involving the student; or to parties otherwise authorized to receive the information pursuant to FERPA.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the institution to comply with the requirements of FERPA.

Students wishing to file complaints relating to FERPA matters may submit such complaints to the following office of the U.S. Department of Education, which administers FERPA:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

In addition, our school encourages students to file any such complaints or concerns with our school pursuant to the Student Grievance Policy located in our Campus Catalog.

Students with questions regarding their rights pursuant to FERPA, or desiring additional guidance concerning the appropriate manner in which to exercise such rights at their school, can contact the school manager.