

Policy RO1.02: Student FERPA Rights

Oversight	Information
Policy Type	Registrar Office
Policy Owners	Registrar
Initial Policy Approval Date	September 9, 2007
Current Revision Approval Date	January 16, 2019
Procedure Effective Date	January 16, 2019

Policy

All student education records are protected by the Family Education Rights and Privacy Act of 1974 (FERPA). Education records are all records directly related to the student

FERPA affords students certain rights with respect to their education records. These rights include:

- The right to inspect and review the student's education record(s) within 45 days of the day the registrar receives a written request for access identifying the record(s) the student wishes to inspect. The school will decide for access and notify the student of the time and place where the records may be inspected. Students may obtain copies of their education records for a nominal fee.
- The right to request the amendment of the student's education records that the student believes is inaccurate, misleading or in violation of their privacy rights. A written request for amendment that fully describes the specific reason(s) for the requested change must be given to the registrar. Following review, the student will be informed of any amendments or denials of amendment to his or her education records, including a detailed explanation for the decision rendered. Students have a right to a hearing regarding the request for amendment by making a written request to the Grievance and Appeals Committee and presenting evidence relevant to the disputed issues. All decisions made by the Grievance and Appeals Committee are final. Copies of all requests and written documentation regarding the contents of a student's education record will be retained as part of that student's permanent record.
- The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- The right to file a complaint with the U.S Department of Education concerning alleged failures of the college to comply with the requirements of FERPA. The office that administers FERPA is:

Disclosure Without Consent

In specific circumstances, FERPA authorizes disclosure of personally identifiable information from educational records without the prior written consent of the student. One such circumstance is disclosure to school officials with legitimate educational interests. A school official is a person employed by a school in an administrative, supervisory, academic, research or support staff position, or a member of the board of trustees. A school official has legitimate educational interest if the official needs to review education records in order to fulfill his or her professional responsibility. Other instances where student information may be disclosed without the permission of the student include, but are not limited to:

- Disclosure made to authorized representatives of the U.S. Department of Education, the Office of the Inspector General, accreditation and licensure agencies, and state and local education authorities.
- Disclosure in connection with financial aid for which the student has applied.
- Disclosure made to the student's parent(s) if the student is a dependent (as defined by the U.S. Internal Revenue Service).
- Disclosure made to organizations that are conducting studies concerning the administration of student aid programs on behalf of educational agencies or institutions.

Directory Information

Educational institutions may disclose information qualifying as "directory" information (as defined by 34 C.F.R. § 99.37). All notices from a student to opt out of disclosure of "directory" information shall be provided in accordance with the Company's notice of disclosure to the parent, or eligible student. In the event no such notice is provided, students should submit such requests to the college directly.

Record of Disclosures

The registrar maintains a record of each request for access and each disclosure of personally identifiable information from the education records of each student. This record will be maintained with the education records of each student and will include the parties who have requested or received information and the legitimate interests the parties had in requesting or obtaining the information.

The college is not required to keep record of disclosures made to:

- The student.
- Any school official with a legitimate educational interest.
- Any party with written consent from the student.
- Any party receiving records as directed by law enforcement subpoena whereby the court has ordered that the existence of the subpoena not be disclosed.

Guidelines

- Not Applicable

Procedure

- Not Applicable

Related Documents/References

- Not Applicable

Definitions

- None

Revision History

- May 7, 2020: Updated policy format for accessibility guidelines - AHB
- 3/2/2021: Updated branding for Post University-AHB