Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of students' educational records. UACCB students have specific, protected rights regarding the release of such records, and FERPA requires that UACCB adhere strictly to these guidelines. Questions concerning the Family Education Rights and Privacy Act should be referred to the Registrar or the Provost.

When FERPA Rights Begin

At UACCB, a student is defined as someone who is conditionally admitted to the institution or someone who is currently or was previously enrolled in an academic program at the college.

A student at UACCB has the following rights with regard to his or her educational records:

- To inspect and review all educational records pertaining to him or her.
- To request the amendment of his or her educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of his or her privacy or other rights.
- To refuse consent to disclose directory information by informing the Registrar in writing within ten days of the first scheduled class of each academic session that he or she does not want that information disclosed.
    - Directory information at UACCB is defined as name; address; telephone number; email address, photograph; major field of study; dates of attendance; degrees received; scholarships, honors and awards received; and participation in officially recognized activities.
- To consent to disclosure of personally identifiable information contained in his or her educational records, except to the extent that FERPA authorizes disclosure without consent.
- To file a complaint with the U.S. Department of Education concerning an alleged failure by the College to comply with FERPA requirements.
- To obtain a copy of the college’s FERPA policy. The policy is available upon request from the Registrar and in the Row Johns Library. The student is responsible for a copying fee.

Students who wish to review their educational records must present a written request to the Registrar, listing the item(s) to be reviewed. The item(s) requested shall be made available for review no later than 45 calendar days following receipt of the written request. Students following the above procedure have the right to copy their records when failure to provide a copy of the records would effectively prevent the student from inspecting and reviewing the record as determined by the reasonable discretion of the College. The College may refuse to copy an academic record if a "hold" has been placed for non-payment of financial obligations; copies shall be made at the student's expense ($.25 per page). Students have no right to review or inspect the following records:

- Financial information submitted by parents or legal guardians.
- Confidential letters and/or recommendations placed in the student's file prior to January 1, 1975, if such documents were intended to be confidential and are used only for the purpose(s) for which they were specifically intended.
- Confidential letters and/or recommendations placed in the student's file prior to January 1, 1975, associated with admissions, employment, or job placement, or receipt of an honor or honorary recognition if the student has voluntarily waived his/her right to inspect the confidential letters and/or recommendations in writing.
- Educational records containing information about more than one student, in which case the College will permit access only to that part of the record pertaining to the inquiring student.
- Challenge of Contents of Educational Records

Any student who believes that his/her educational records contain information that is inaccurate, misleading, or otherwise in violation of his/her privacy or other rights, or who believes that his/her records have been maintained or processed in violation of his/her privacy or other rights, may notify the Director of Student Information/Registrar in writing, clearly identifying the portion of the record to be changed and specifying why the student believes the record is inaccurate or misleading.

If the Registrar is in agreement with the student, the appropriate record shall be amended and the student shall be notified in writing. If the decision of the Registrar is not in agreement with the student, the student shall be notified within thirty calendar days that the records will not be amended. The student may appeal this decision following the procedure outlined under "Student Grievance Procedure." If the student successfully appeals the decision to amend his/her records, the file will be amended accordingly. If the appeal is unsuccessful, the student has the right to place a statement commenting on the

reason for disagreeing with the decision of the College. This statement shall be included in the educational record, and shall be maintained as long as the record is maintained and shall be disclosed whenever the record(s) in question is disclosed. A student may contact the Provost for assistance in filing a complaint with the Family Policy and Regulations Officer, U.S. Department of Education, Washington, D.C. 20202. C. Consent Provisions No person outside the College shall have access to, nor shall the College disclose, any personally identifiable information from a student's educational records without the written consent of the student. The consent must specify the records to be disclosed, the purpose(s) of the disclosure, and the party or class of parties to whom disclosure may be made. The consent must also be signed and dated by the student. A copy of the record disclosed or to be disclosed shall be provided to the student upon request. There are, however, exceptions to the consent policy. The College reserves the right, as permitted by law, to disclose educational records without written consent to those parties enumerated in Section 99.31 of the FERPA, including the following:

- School officials who have legitimate educational interest.
- Officials of other educational institutions or agencies in which a student seeks enrollment.
- Officials of other educational institutions in which a student is currently enrolled.
- Persons or organizations providing student financial aid in order to determine the amount, eligibility, and conditions of award, and to enforce the terms of the award.
- Accrediting organizations carrying out accreditation functions.
- Authorized representatives for federal, state and/or local authorities for the purpose of audit and evaluation of programs.
- Organizations conducting studies on behalf of educational agencies or institutions to develop and administer predictive tests, administer student aid programs or improve instruction.
- Parents of dependent students under the age of 18. Parents must present proof of dependent status of student by providing a copy of their current tax forms.
- Persons in compliance with a judicial order or subpoena.
- Appropriate persons in a health and safety emergency.
- An alleged victim of any crime of violence.