



MOREHOUSE COLLEGE
POLICY ON STUDENT RECORDS
GUIDANCE MANUAL

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Overview

A student's matriculation at Morehouse College is documented in his education records. These records are used repeatedly by school officials and others to make important decisions affecting the student's academic program and future career. Morehouse College is committed to the principles of integrity and privacy of those records. To that end, the *Morehouse College Policy on Student Records* was adopted to give effect to those principles and to meet the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Under FERPA, each Morehouse College student has the right to review his records, to correct any inaccuracies therein, and to limit disclosure of information from those records. The scope of each of these rights and the procedures that must be followed in order to effect them are outlined in the policy.

The rights granted under FERPA attach to a student's "education records." Under the law and the College's policy, this term is given a very broad definition. Virtually every piece of documentation generated on the campus that relates to a student is an education record covered by FERPA. Students have a right to inspect these records and the procedures for contacting the appropriate record custodians are addressed in the policy.

With some exceptions, both the policy and the law prohibiting disclosure of "personally identifiable information" about a student. Care should be taken in every instance where discussions are had about student's performance at the College to ensure that information is handled in accordance with the law and College policy.

These restrictions on disclosure relate to the issue of providing access to information in a student's records to third parties, including parents and spouses. It is important to understand that the rights afforded under FERPA are the student's. Parents may only have access to the information if they (1) claimed the student as a dependent for the last tax year (under the College policy, dependency may be verified from financial aid records) or (2) the student gives his written consent. Other third parties, including spouses, may be given access to such information if the student gives his written consent. Written consent forms are available in the registrar's office.

This manual is intended to provide a guide to the College's policies and procedures. It also seeks to answer some of the most frequently asked questions about the law and the College's policy. Because it is offered as a guide, it may not address every question that may arise. If you have any unanswered questions, they should be directed to the General Counsel's office.

FAQs about FERPA

FERPA Rights

What is FERPA?

The Family Educational Rights to Privacy Act of 1974 ("FERPA") is a federal law that governs access to and privacy of student records at schools, such as Morehouse College, that receive federal funds. FERPA is often referred to as the "Buckley Amendment," in honor of its sponsor, Senator James Buckley.

The Act is codified at 20 U.S.C. § 1232g and the regulations promulgated thereunder can be found at 34 C.F.R. Part 99.

Who has rights under FERPA?

All students who are enrolled at Morehouse are entitled to the rights afforded by FERPA. Students may waive these rights and the College may, from time to time, establish procedures and conditions under which the student may be permitted to execute a waiver.

What rights does FERPA grant?

Generally, FERPA creates three basic rights: (1) the right of access by the student to his or her education records; (2) the right to challenge and require amendment of any portion of the record that is inaccurate or misleading; and (3) the right to limit disclosure of any personally identifiable information from those records.

What rights do the parents or legal guardian of a student have to get information from their child's records?

FERPA expressly states that when a student reaches the age of 18 **or** is attending an institution of post-secondary education, the rights of access to student records "transfer from the parents to the student." Thus, the parents' rights are terminated unless they either obtain written consent from their child or submit proof that they claimed the student as a dependent on their most recent federal tax return. Once this has been done, parents become "qualified" for access in the same manner as the student.

Morehouse College does not presume dependency status. A copy of the written consent, tax return or financial aid records must be submitted along with a written request for access to the student's records.

What about parents who are divorced or separated?

Both parents will be given access (if they are "qualified" as specified above) unless the College has been provided with evidence that there is a court order or legally binding document (such as a divorce decree or separation agreement) that specifically revokes these rights.

Does a student's spouse have any rights under FERPA?

No rights are afforded to spouses under FERPA.

What are education records?

As defined by the Act and in the College's policy, an education record is "any record, file, document and other material that contains information ...directly related to a student that are maintained in some tangible form by the College or by a person acting as its agent." There are a few exceptions from the definition of education records, including personal notes kept in the maker's sole possession, certain campus law enforcement records, alumni records, and certain medical records used for treatment purposes. Therefore, virtually all documentation that is made on campus about a student is an education record.

Are personnel records covered by FERPA?

Generally, information that is a part of an employee's personnel files is not an education record covered by FERPA. If, however, the employee is enrolled at the College at the time, **and** the employment is a result of his status as a student (i.e. work study, internships), those records are education records under FERPA.

Where can I find the Morehouse College Student Records Policy?

A copy of the policy is set forth at the end of this manual. Additional copies are available in the registrar's office.

Requests for Review

What rights does a student have to look at his records?

Students have a right to review their records upon request. This does not mean they have a right to instant access. The College must respond within a reasonable time (not to exceed 45 days) and notify the student of the time and location where the review will take place.

How can a student request review of his education records?

Requests for review of education records should be directed to the appropriate record custodian as identified in the College's policy. For example, if the student wants to review his transcript, he will submit the request to the Registrar. Custodians who receive a proper request for review of the records should make the record available for review immediately, if convenient. If an immediate review is not convenient, the custodian must make arrangements for the student to review the record within no more than 45 days of the date of the request.

Does the student have the right to see all records that contain personally identifiable information about him?

No, some records that contain personally identifiable information are not reviewable under FERPA. Records that do not meet the definition of an education record are not subject to review. In addition, some education records, such as financial records of the student's parents and certain confidential letters of recommendation, are not open to inspection. If an education record contains information about several students, a student may review only that portion that relates to him. Finally, the student has no right to review medical or mental health records, although he may have a physician of his choice review those records.

Is a log of student's request for review required?

Although the law does not require that a log of request by students be maintained, the College has a form that may be used to document the request and the College's response to it.

May the student have a representative review his records?

No. The College does not permit others to inspect the student's records unless the student has given his written consent and the representative agrees not to disclose the personally identifiable information contained in the record.

Can a student receive information over the telephone or by e-mail or facsimile?

Generally, the student should seek review of his records by submitting the written request to the appropriate custodian. If urgent circumstances exist that make in-person request difficult, personally identifiable information may be disclosed to a student over the telephone. The custodian must take appropriate measures to verify the identity of the requester, by asking for verification of a combination of information including, the student's ID number, date of birth, mother's maiden name or similar information that is presumed to be known only to the student.

Can a parent get information over the telephone or by e-mail or facsimile?

It is difficult to verify the identity of an inquirer over the phone or through his or her e-mail or facsimile. Accordingly, if a faculty or staff member cannot verify **independently** the inquirer's identity, the inquiry should be refused. This may prove inconvenient to parents at times, however, they should be assured that this procedure is for the protection of our student's privacy rights as is required under federal law.

Once the identity is verified, the dependency status of the student must be confirmed. This information can be accessed from the student's on-line record. If dependency is not demonstrated, the parent must have a signed written consent from the student before the information can be disclosed.

Since it is difficult to assure the confidentiality of information transmitted by e-mail or facsimile, it is the College's policy to not communicate information regarding a student's record by those means.

Can a student receive copies of his record?

It depends. Unless the circumstances are such that an in-person review is not possible, students do not have a right to a copy of their education records, although the College may permit such copies in its discretion. However, students are entitled upon request, to receive copies of records that are disclosed without their prior written consent to another college the student is attending or disclosed to third parties with his consent. Students must pay the copy charge of \$.50 per page for the copies they receive.

Can a student be denied copies?

Both the federal law and the College's policy permit copies to be denied to students who have an unpaid financial obligation to the College, or who have unresolved disciplinary or academic actions pending against them.

Requests for amendment

What right does a student have to challenge information contained in his education record?

If the student believes that the information in the education record is inaccurate, misleading or otherwise in violation of his privacy rights, he may request an amendment to the record. "Inaccuracies" should be limited to incorrect information, in a record-keeping sense. For example, the FERPA process to amend a record should not be used to appeal a grade, but rather to correct a grade improperly recorded. Appeals related to substantive area should be addressed through other College procedures. This policy allows no other grounds for seeking an amendment to the record.

What procedure should be used to request an amendment of the education record?

The student should submit a request in writing to the appropriate record custodian identifying the information the student claims is inaccurate, misleading or in violation of his privacy rights, the education record in which the information is contained, the basis for the student's claim, and the student's proposed change.

Who reviews the request for amendment?

The appropriate record custodian will conduct the review.

What should be done if the request is denied?

If, after a review, the custodian does not believe that the record is either inaccurate, misleading or in violation of the student's privacy or other rights, he or she must notify the student that the request has been denied and that he has a right to a hearing on the matter.

What happens if the student requests a hearing?

If the student is not satisfied with the custodian's decision, he may continue to advocate for an amendment to his record. On the form provided by the College, the student should advise the custodian that he wishes to have a hearing on the matter. The vice president for the area in which the records are housed will conduct the hearing within a reasonable time after the request.

May the student be represented at the hearing?

Students have a right to representation at the hearing by one or more persons of his own choosing, including an attorney. The student must notify the College if he intends to have counsel present at the hearing.

How will the results of the hearing be communicated?

The hearing officer must communicate his or her decision in writing. A summary of the evidence and the reasons for the decision must be set forth in the notice.

May a student appeal a hearing officer's decision?

No. The student may not appeal the substantive decision reached. However, he does have the right to include an explanatory statement in his education record that will be maintained for as long as the contested information is maintained and disclosed each time the contested information is disclosed.

Disclosure of Information

What is a disclosure under FERPA?

A disclosure occurs whenever someone is permitted access to a student's personally identifiable information or the information is released, transferred or communicated to another person through any means including oral, written or electronic mechanisms.

What is personally identifiable information?

Generally speaking, this is any information that relates to or concerns the student. It need not be embarrassing information or "private" in any sense. For example a student's grade, whether an "A" or an "F," is personally identifiable information. Information can be considered personally identifiable information even if the student is not identified by name.

Personally identifiable information includes, but is not limited to, the student's name, name of his parents and other family members, address, social security number, a list of personal characteristics that would make the student's identity easily traceable or other information that would make the student's identity traceable. Accordingly, College officials should refrain from publicly posting or disclosing information about students in a way that students can be personally identified.

May information from an education record be disclosed to third parties?

Except in a limited number of circumstances, disclosures may not be made to third parties without the student's written consent. A written consent form is available in the Registrar's office.

Must the student's consent be evidenced in writing?

Yes. The student's consent to disclosure must be evidenced in writing and **must** specify the records (grades, health, advising, etc) that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom a disclosure may be made.

May the consent to disclosure be sent by fax?

Yes, the College will accept a properly executed consent form that is faxed.

What should you do if a third party requests disclosure?

When you receive a request from a third party (meaning anyone other than the student) you must:

- Ask for and review the student's written consent for information
- Verify the requester's identity
- Verify the purpose of the inquirer to determine if it is legitimate
- Log in the request
- Process the request

Is the College required to make disclosures to all third parties who have a legitimate interest in the information?

FERPA does not compel the disclosure of information to third parties even if they have a legitimate interest in that information.

What are the FERPA exceptions to a written student consent to disclosure?

Disclosures that meet one or more of the following criteria may be disclosed without the student's written consent:

- To professors and other college officials who have a legitimate educational interest
- To officials of other colleges or postsecondary institutions where the student seeks to enroll
- To authorized representatives of federal state and local educational authorities
- In connection with the application for or receipt of financial aid
- To state and local juvenile justice systems or their officials
- To organizations conducting educational studies
- To accrediting organizations
- To qualified parents
- In compliance with a judicial order or lawfully issued subpoena
- In connection with a health or safety emergency
- If the information is designated directory information
- To an alleged victim of a crime of violence, disciplinary records maintained by the College concerning the alleged crime

The application of these exceptions may be difficult at times. If you have any questions about whether a non-consensual disclosure is proper, please contact the General Counsel's office.

Are all College employees entitled to review education records without the student's disclosure?

No. The employees must meet the definition of a College official and have a legitimate educational interest in the information in order to review the records without the student's written consent. Under the policy, a College official is defined as administrative, supervisory, academic, research and support staff, members of the Board of Trustees, a student serving on an official committee and any person with whom the College has contracted, such as its attorneys, auditor or collection agency.

Can current students be College officials entitled to review a student's records without his consent?

Under the College's policy, students who serve on College committees or official organizations are deemed to be College Officials.

What is a legitimate educational interest?

Generally, a legitimate educational interest is considered to be in the interest of the student or in the administration or management of education at the College. It is important to note that every interest the College may have is not necessarily an educational one.

What is directory information?

Directory information is that information about a student that would not necessarily be considered harmful or an invasion of privacy. This information may be disclosed without the student's written consent, unless the student has requested in accordance with the policy that such information not be disclosed.

The College policy identifies the following type of information as directory information:

- Name
- Enrollment status
- Dates of attendance
- Classification
- Degree earned, if any, and the date
- Major
- Honors received
- Local and home addresses and telephone numbers
- Participation in officially recognized activities and sports

- Weight and height of athletes
- Most recent previous school attended
- Date and place of birth
- Photographs
- Class schedule
- E-mail address

The College publishes notice of the information it deems to be directory information in its Catalog and Student Handbook.

Can directory information be disclosed over the telephone?

Yes, unlike other personally identifiable information, directory information may be released without the student's consent. There is no requirement that the identity of the requester be verified and no record of the inquiry need be made.

May a student request that directory information be withheld?

Yes. Each student has the right to request that the disclosure of directory information be withheld as long as the student is enrolled. The written request must be submitted to the Registrar within two weeks of the start of each semester

Are there any requirements of third parties to whom disclosures are made?

Generally, there are limitations on redisclosure of information and the College's release of information to such parties is made on the express condition that the receiving party will not redisclose the information without obtaining the student's prior consent. The College must inform the receiving party of this obligation at the time of the disclosure.

Should a record be kept of the disclosures made?

The College must maintain a record of each request for access to and each disclosure of personally identifiable information. Requests from the following individuals need not be logged in:

- The student
- A college official who has a legitimate educational interest
- A party seeking directory information
- A party seeking information under a subpoena if the issuing authority has ordered non-disclosure.

Is that log part of the student's education record?

Yes, and it is therefore open to inspection by the student.

WHAT DO I DO WHEN?

What do I do when a student requests a review of his record?

First, if you are not the custodian of the record, you should direct the student to the appropriate custodian. The custodian should then:

- Verify that the person is the student entitled to review the record by checking his identification card
- Verify that what the student has requested to review are education records (the student has no right to inspect documents excluded or exempt from the definition of an education record)
- gather the records that the student is entitled to the review,
- Make arrangements with the student for the review. The appointment should be at a mutually convenient time. The appointment should take place as soon as possible, but in no case later than 45 days after the request.
- If the student request copies, consider if the request should be granted.
- Arrange for a staff member to be present when the student inspects the file.

A student is requesting information for his records over the telephone or via facsimile or e-mail?

Generally, students should seek information from their records in person. However, disclosure of information to students is not prohibited but should be limited to urgent circumstances.

Before any information is given over the telephone, the record custodian must verify the student's identity. This can be done by asking for verification of a combination of information including, the student's ID number, date of birth, mother's maiden name or similar information that is presumed to be known only to the student. Once the identify is verified the information may be released. No record needs to be made of this request.

A parent is requesting information from their child's records over the telephone, or via facsimile or e-mail?

As with all telephonic or electronic requests, there is always an issue of the identity of the inquirer. If a parent uses one of these means to inquire about his or her son's records, appropriate measures should be taken to independently verify the identity of the requestor. Preferably, this should be accomplished by having the student verify that the caller is his parent. If the son is not available, the requestor should be asked information that is presumed to be known only by the student and the parent.

Once the identity is verified, it must be determined whether the parent has a right to access the information, either by having evidence of dependency or a written consent on file with the College. This information will be noted as part of the student's record and can be verified on-line.

If the parent is a qualified parent, no record needs to be made of this request. If the parent is not a qualified parent, a record must be made even if the student gave his written consent to the disclosure.

A college official asks for information over the telephone?

If someone from within the College inquires about the student's record, the following must be verified:

- The identity of the caller
- Whether the caller is a College official as defined in the policy
- For what purpose is the disclosure sought
- That the purpose is a legitimate educational interest.

If the individual is a college official with a legitimate educational interest in the information, a record need not be made of this request. If the inquirer is not a College official or does not have a legitimate educational interest, a record must be made of the request.

Someone asks for directory information over the telephone?

Directory information may be disclosed without the student's consent. Accordingly, there is no need to verify the inquirer's identity or purpose. No record needs to be made of the request.

I want to post information containing personally identifiable information, such as grades?

Personally identifiable information may only be posted if it can be done in a manner that does not make the student's identity known. For example, information should not be posted alphabetically, or with the student's name or social security number. Further, student information should not be discussed openly.

This limitation should not be construed as preventing the discussion of aggregated data (i.e. the class average).

I want to submit a student's paper to the library records?

The student's paper is an education record and his consent to disclosure is required.

I receive a subpoena for a student's records?

All court orders or subpoenas for student records must be directed immediately to the Office of the General Counsel. The response to that request will be coordinated through that office.

I receive a request for information from someone other than the student?

If the inquirer is a College official or a parent, see the discussion above. If the inquirer is someone other than a College official or a parent, then you must:

- Confirm that written consent has been given by the student
- Verify identity of the inquirer
- Determine whether the purpose is legitimate, and if so, fulfill the request
- Record the request.

If the inquirer is seeking directory information, this information may be given without confirmation. No record is required.

A student wants to challenge a grade under FERPA?

A student may challenge a grade under FERPA only to the extent that he maintains that the grade was inaccurately recorded. If he disputes the actual grade received, a challenge cannot be made under FERPA. Instead, the student must follow the grade appeals process.

A student asks me to write a letter of recommendation?

Under the College's policy, a letter of recommendation written by a member of the College staff or faculty in connection with admission to another educational institution, employment or in consideration for an honor or award is deemed to be an education record. Accordingly, the student's written consent should be given before the letter is distributed.

Morehouse College FERPA Policy

MOREHOUSE COLLEGE

Policy on Student Records

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Introduction

Education records document a student's matriculation at the College and are used repeatedly by College Officials and others to make important decisions affecting the student's academic program and future career. Morehouse College is committed to the principles of integrity and privacy of those records and has adopted this policy designed to meet the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Any student who believes that the College is violating FERPA has a right to file a complaint with the Department of Education. The address is:

The Family Educational Rights of Privacy Act Office
Department of Education
460 Maryland Avenue
Washington, D.C. 20202-4605

Definitions

College means Morehouse College.

Student means any person who is, or was in attendance at the College.

Education record means any record (including without limitation, in handwriting, print, computer media, videos or audio records) that is directly related to a student and maintained by an employee or agent of the College. Most documentation generated on the campus will meet this definition. The following, however, are not considered education records:

- a. Personal notes or records that are made as a memory aid, if it is kept in the sole possession of the person who made it and is not revealed or made available to any other person.

- b. An employee's employment records if the employee's employment is not contingent on his status as a student. A student's employment records are education records when:
 - 1. employment is dependent upon his status as a student; or
 - 2. A grade or credit is received based upon the student's performance as an employee.
- c. Records related to an application for admission prior to acceptance as an enrolled student.
- d. Records compiled on an alumnus of the College after he no longer attends the College.
- e. Any health related records of a student provided the records are maintained by a physician or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity for use in connection with treatment of the student. To ensure the privacy of these health records, no person other than a health professional shall have access thereto unless such disclosure is made to meet a health and safety emergency as described by FERPA and this policy. A physician or health professional of the student's choice may review these records.
- f. Records and other materials created and maintained by the College Police Department for law enforcement purposes.

College Official means

- a. a person employed by the College in an administrative, supervisory, academic, research or support staff position;
- b. a person or company with whom the College has contracted, such as an attorney, auditor, or collection agency;
- c. a person serving on the Board of Trustees; or
- d. a student serving on an official committee, such as a disciplinary or grievance committee or assisting another College Official in performing his or her tasks.

All College employees are not College Officials. Those who meet the aforementioned criteria will have access to personally identifiable information contained in a student's education records if they have a legitimate educational interest in doing so.

Legitimate educational interest exists if the information is necessary in order for the College official to:

- a. perform an administrative task;
- b. perform a supervisory or instructional task directly related to the student's education;
- c. perform a task related to discipline of the student;
- d. perform a service or benefit for the student such as health care, counseling, student job placement, or student financial aid; or
- e. to maintain the safety or security of the campus.

Parent means the natural parent of a student, a guardian or an individual acting as a parent in the absence of a parent or guardian.

Qualified parent means either (1) a parent of a student who has given consent for the parent to review the student's education records, or (2) a parent who has claimed the student as a dependent as defined under section 152 of the Internal Revenue Code of 1954 in the most recently ended tax year.

Personally identifiable information includes, but is not limited to, any data or information that relates to a record to a student including his or her name, the name of his or her parents or other family members, the address of the student or his or her family, the student's social security number, any numbers or symbols which identifies the student or any personal characteristics or other information that would make the student's identity easily traceable.

Annual Notification

Annually, the College shall notify students of the rights provided by FERPA and this policy. In addition to such other means as may be employed, the College shall publish the notice annually in the Student Handbook and in the first issue of the Maroon Tiger after the start of the academic semester.

Statement of Rights

Students have a right to:

- a) inspect and review their education records;
- b) exercise control (with some limitation) over disclosure of information contained in their education records;
- c) seek to correct their education records, in a hearing if necessary, when they believe their records are inaccurate, misleading or in violation of their privacy rights;
- d) report violations of FERPA to the Family Education Rights and Privacy Act Office of the Department of Education; and
- e) be informed about their FERPA rights.

Procedure for Inspection of Records

A student's education record is extremely important for it is used by College personnel in making decisions about the student during his matriculation. Accordingly, students are encouraged to inspect their records at least once a year and more frequently if necessary, to ensure that they are familiar with their contents.

Any student desiring to inspect his record must submit a written request that identifies the specific record sought to be reviewed, to the appropriate custodian, as noted in Section below. A qualified parent of a student may inspect the student's education records.

If it is convenient, the custodian will allow immediate inspection. If it is not convenient, the custodian will make access arrangements as promptly as possible and notify the student or qualified parent of the time and location where the records may be inspected. Access must be provided within forty-five (45) days or less from the date of the request.

Generally, the student must inspect the record in the custodian's office. However, if a valid reason, such as distance from the campus, work hours, or health issues exist that makes it difficult to review the record on campus, a copy of the record will be provided to the student.

If the record contains personally identifiable information on more than one student, a student may inspect only that information that pertains to him.

The College reserves the right to refuse to permit a student (or a qualified parent except with respect to the parent's financial records) to inspect the following records:

- a) financial records of the student's parents;
- b) confidential letters and statements of recommendation which were placed in the student's records before January 1, 1975 or for which the student has waived his right of access in writing. Except that, if these statements have been used for purposes other than those for which they were specifically intended, the student may inspect them.
- c) Records excluded from the definition of education records.

Refusal to Provide Copies

The College reserves the right to deny transcripts or copies of records not otherwise required to be made available by FERPA in any of the following situations:

- a) The student or qualified parent lives within commuting distances of the College.
- b) The student has an unpaid financial obligation to the College.
- c) There is an unresolved disciplinary action against the student.
- d) There is an unresolved academic action against the student.

Location of Records

The following is a list of the types of records that the College maintains, and their location and custodians.

<u>Type</u>	<u>Location</u>	<u>Custodian</u>
Admission Records (upon Admission)	Registrar's Office 100 Gloster Hall	Registrar
Cumulative Academic Record	Registrar's Office 100 Gloster Hall Department's Office	Registrar Faculty Advisors
Health Records	Infirmery Ground Floor, Brazeal Hall	Medical Director
Financial Records	Financial Aid Office Cashier's Office	Director of Financial Aid Cashier
Placement	Career Counseling and Placement Office 107 Gloster Hall	Placement Director
Progress Records	Office of Class Deans Department Head's Office	Class Deans Faculty advisors
Disciplinary Records	Student Services Gloster Hall	Dean of Students
Counseling	Wellness Resource Center 109 Gloster Hall	Director of the Wellness Resource Center
Disabled Student Services	Wellness Resource Center Gloster Hall	Disabled Services Coordinator
International Students	Gloster Hall 105	International Student Advisor
Miscellaneous	The appropriate College Employee will locate the Records for inspection.	

Fees

The fees for copies will be \$.50 per page.

Use of Student's Records

Access to students' education records is often required to ensure that College Officials can perform their proper function to service the student body. To carry out these responsibilities, College Officials will have access to student records for legitimate educational purposes.

In accordance with the policy, College Officials will not disclose personally identifiable information about a student without that student's written consent, except in the following circumstances:

- a) to the student;
- b) to College officials who have a legitimate educational interest in the information;
- c) to officials of another college where the student seeks to enroll;
- d) to certain federal or state officials when the information is needed in order to audit, or evaluate a federal or state supported program or for the enforcement of legal requirements related to that program.
- e) in order to determine eligibility, amount, or conditions of financial aid or to enforce the terms and amount of aid.
- f) to accrediting organizations to carry out their accrediting functions.
- g) to qualified parents of a student.
- h) to comply with a judicial order or lawfully issued subpoena (the College will make a reasonable effort to notify the student before it makes a disclosure).
- i) to organizations conducting educational studies;
- j) to local juvenile justice systems and their officials;
- k) if it is designated as directory information;
- l) disclosure of specific personally identifiable information contained in a student's education record, which a state law adopted prior to November 19, 1974 requires to be disclosed to state or local officials.
- m) to an alleged victim, the results of any disciplinary proceeding conducted by the College against an alleged perpetrator of a crime of violence.

College Officials are also authorized to make the needed disclosures from student education records in a health or safety emergency:

- a) If the information is necessary to protect the health or safety of a student.
- b) The seriousness of the threat to the health or safety of the student or other persons warrants the disclosure.
- c) The person to whom the information is disclosed is qualified to handle the emergency.

Except as noted above, College Officials may not disclose personally identifiable information contained in a student's education record except directory information without the student's prior written consent. The written consent must include at least:

- a) the specific records that may be disclosed;
- b) the purpose for which the disclosure may be made; and
- c) the person(s) to whom the disclosure may be made.

Education records may be released to a College Official over the telephone but only if the identity of the inquirer can be personally authenticated and the requester has a legitimate interest in the record.

The student may obtain a copy of any record the College discloses pursuant to the student's prior written consent.

The College will not release any information contained in a student's education records except directory information, to any third party except College Officials, unless these parties agree that they will not re-disclose the information without the student's prior written consent or except as otherwise permitted by FERPA.

Disclosure to Parents

Under certain circumstances, information will be released to qualified parents. Midterm and final grades for freshman will be sent to the qualified parents. This process will be followed for students on academic probation. A representative of the College

may communicate with the parent/guardian relative to the following circumstances: discontinuance of enrollment, alleged violation of College regulations that will likely result in suspension or expulsion if the student is found to be responsible; academic or disciplinary probation; or needed medical attention, the nature of which may jeopardize a student's ability to maintain his studies.

Education records may be released to a qualified parent over the telephone, but only if the student can personally authenticate the identity of the inquirer.

Directory Information

Information furnished at the College's discretion to other individuals and organizations will be limited to items listed below, unless accompanied by a release signed by the student:

- a) Name
- b) Whether or not student is enrolled
- c) Dates of attendance
- d) Classification
- e) Degree earned (if any) and date
- f) Major
- g) Honors received
- h) Local and home addresses and telephone numbers
- i) Participation in officially recognized activities and sports
- j) Weight and height of athletes
- k) Most recent previous school attended
- l) Date and place of birth
- m) Photographs
- n) Class schedule
- o) E-Mail address

Directory information **cannot** include student identification numbers or social security numbers.

If a student does not wish to have any of the above information released, he should notify the Registrar by the end of the second week of each semester. The student must notify the Registrar in writing identifying any and all of the items they do not wish designated as directory information.

Upon receipt of such request, the Registrar will notify the appropriate custodians of the records of the student's action. The custodians will mark the records and from that point forward, no further disclosure of those items of information about the student shall be made without the student's consent. Directory information may be released without permission for students no longer enrolled at the College.

Records of Requests for Access and Disclosures

The College will maintain a record of all requests for and/or disclosure of information from a student's record, other than requests by or disclosures to the student, College officials, a party with written consent of the student, or a party seeking only directory information. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by a qualified parent or by a student.

Procedures to Correct Education Records

Students have the right to ask to have records corrected that they believe to be misleading, inaccurate or a violation of their privacy rights. The following procedure is to be followed:

1. If the student discovers an item in his education record that he believes to be incorrect, he must request in writing that the appropriate custodian amend a specific record. In doing so, the student must identify the part of the record the student wants changed and specify why the student believes it to be inaccurate, misleading or in violation of the student's privacy or other rights.

2. The custodian will review the request and the record. If the custodian finds the record to be incorrect because of an obvious error, and it is a simple matter to correct, the custodian may make the correction.
3. If the record is correct and should not be changed, the custodian will prepare and send the student a letter stating the decision. This letter will also inform the student that:
 - a. The College will provide an opportunity for a hearing for the student to present evidence that the record is inaccurate, misleading or that it violates the privacy or other rights of students.
 - b. The student may be, at his own expense, represented at the hearing by other parties including an attorney. If the student elects to be represented by counsel, he must notify the College of that decision.
 - c. A hearing officer will be selected who shall be appointed by the Vice President in authority over the office where the records being contested are located. The hearing officer will be a disinterested College official.
 - d. The student will be notified of the time, date, and place of the hearing. At the hearing, the student will be allowed a full and fair opportunity to present evidence and testimony relevant to the issue raised. The College reserves the right to challenge evidence and cross-examine witnesses and the student shall have the right to challenge evidence and cross-examine witnesses the College presents.
 - e. A summary of the hearing will be prepared by the hearing officer, who will make a recommendation, based totally on the evidence presented at the hearing, concerning the request to change the record.
 - f. If the hearing officer decides that the contested portion of the record is inaccurate, misleading or in violation of the student's right of privacy, the appropriate custodian will be directed to amend the record. The student will be apprised of this action in writing.
 - g. If the hearing officer decides that the record is not inaccurate, misleading or in violation of the student's privacy rights, the hearing officer will send a written notice to the student that includes:

- 1) A statement of the College's decision not to change the record;
- 2) A written statement of the reasons for the decision; and
- 3) Advice to the student that he may place in the record a statement commenting on the contested information and/or a statement setting forth reasons for disagreeing with the decision.
- 4) The explanatory statement will be maintained as part of the student's education records as long as the contested portion is maintained. Whenever the contested portion of the record is disclosed, the explanatory statement will also be disclosed.

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