

## ANNUAL NOTICE OF FERPA POLICY

### FERPA Policy

#### Family Educational Rights and Privacy Act of 1974 - Official Notice to Students

#### Statement of Rights

The College encourages students to exercise all of their rights under the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). Operating under the premise that the educational process is a cooperative venture between a student and the College, we emphasize the following rights of eligible students:

1. The right to inspect and review, with certain limited exceptions, the student's educational records, including the right to receive explanations and interpretations of the records and to obtain copies of the records when such are needed to allow the student to effectively exercise his/her right of inspection and review;
2. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person or entity: (a) employed by the college or the college system in an administrative, supervisory, academic or research, or support staff position; (b) serving on a university governing body or duly authorized panel or committee; or (c) employed by or under contract to the college to perform a special task, function, or service for the college.

A school official has a legitimate educational interest if the information requested is necessary for that official to (a) perform appropriate tasks that are specified in his/her position description or in the performance of regularly assigned duties by a lawful supervisor; (b) fulfill the terms of a contractual agreement; (c) perform a task related to a student's education; (d) perform a task related to the discipline of a student; or (e) provide a service or benefit relating to the student or student's family, such as health care, financial aid, job placement, or former student-related activities.

Disclosure to a school official having a legitimate educational interest does not constitute college authorization to transmit, share, or disclose any or all information received to third parties unless such disclosure is permitted or required by law.

3. The right to correct a student's education records when the records are inaccurate, misleading or otherwise in violation of FERPA;
4. The right to report violations of FERPA to the Department of Education;
5. The right to be informed about FERPA rights.

All the rights and protections given students under FERPA belong to the student, however, information in student records may be provided to parents/legal guardians without the written consent of the student if the eligible student is a financial dependent of his or her parents/legal guardians as defined under Section 152 of the Internal Revenue Code of 1954.

#### Records Not Available Under FERPA

Students shall have access to all education records concerning them maintained by the college with the exception of the following:

1. A personal record kept by a college faculty or staff member which meets the following tests:
  - It is in the personal possession of the individual who made it.
  - Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute.
2. An employment record which is used only in relation to a student's employment by the College, except where an individual in attendance at the College is employed as a result of his or her status as a student.
3. Records relating to a student which are created or maintained by a physician, psychiatrist, psychologist or other recognized professional or para-professional acting in his or her professional or para-professional capacity, or assisting that capacity, which are used in connection with providing treatment to a student, are not disclosed to anyone other than the individuals providing the treatment.
4. Financial records and statements of a student's parents/legal guardians.
5. Records concerning admissions to an academic component of the college which the student has never attended.

#### Certificate of Dependency

Under provisions of the Family Educational Rights and Privacy Act (FERPA), students enrolled in post-secondary educational institutions deemed to "own" their educational records. Institutions may, but are not required to, grant access to certain non-directory information in a student's educational record if the student is carried as a dependent on the parent's/guardian's federal income tax return. Under no circumstances will non-directory information be released to a parent or guardian unless a **Certification of Dependency Form** is completed and signed by both the parent(s)/guardian(s) and the student and is brought to the Office of the Registrar. Students may obtain a Certification of Dependency Form if desired to complete and return to the Registrar.

#### Penalties for Violating FERPA

The Family Policy Compliance Office reviews and investigates complaints of violations of FERPA. The penalty for violating FERPA is loss of all federal funding, including grants and financial aid.