



## Family Educational Rights and Privacy Act (FERPA) Policy

09/25/2024

### Policy Statement

Campus complies with the provisions of the 1974 Family Educational Rights and Privacy Act (FERPA) which regulates the confidentiality of data in learner education records and the terms for its disclosure. A copy of the act is on file with the Registrar. The Registrar and the compliance department are the officials responsible for ensuring compliance with the act and creating relevant policies and procedures regarding the release of student education records and related information under the act.

### Definitions

- Education Records - Education records as defined by Section 99.3 of FERPA are “(1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution.”
- Eligible Student - A student who is 18 years of age or older or who attends a postsecondary institution.
- Officially Recognized Activities - Officially recognized activities are college-sponsored extracurricular clubs, organizations, and activities outside a student’s academic coursework. These may include but are not limited to honor societies, professional organizations, and committees.

### Policy Scope

The scope of FERPA as outlined in Section 99.3 of FERPA is “any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.” For purposes of Campus, this policy pertains to all individuals who have been admitted to Campus.

### Student Rights under FERPA

Eligible students have the following rights regarding their education records:

#### 1. **Right to Inspect and Review**

The right to inspect and review the student's education records within 45 days after the day Campus (“College” or “the college”) receives a request for access. A student must submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The Registrar or another appropriate school official will make arrangements for access and notify the student of the time and place where the records may be inspected.

#### 2. **Right to Request Amendment**

The right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask Campus to amend a record must submit a written request to the dean clearly identifying the part of the record the student wants changed and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and of the student’s right to appeal.



3. **Right to Consent to Disclosure**

The right to provide written consent before the College discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. A form to provide written consent may be obtained from the Registrar.

4. **Right to File a Complaint**

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Campus to comply with the requirements of FERPA. The address for the Office that administers FERPA is:

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

**Disclosure of Student Information**

Under FERPA, Campus may disclose information from a student's education records without the student's prior written consent when the disclosure is to school officials with legitimate educational interests. A school official typically includes a person employed by the College in an administrative, supervisory, academic, research, or support staff position; 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 the College who performs an institutional service or function for which the College would otherwise use its own employees and who is under the direct control of the College 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 typically has a legitimate educational interest if the official needs to review an education record to fulfill their professional responsibilities for the College. In addition, the College may disclose education records without consent to officials of another school in which a student seeks or intends to enroll.

Campus also may disclose a student's PII without consent and without violating the FERPA rules when such information is considered "directory information", unless the student has restricted access to their personal information. The following items are considered directory information for this purpose:

- Name
- Telephone number
- Email address
- Address
- Photograph
- Enrollment status (full/part time, or not enrolled)
- Dates of attendance
- Anticipated graduation date
- Program and field of study
- Academic honors and awards
- Degrees, diplomas, certificates, and dates awarded
- Participation in officially recognized activities

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While attending, students may request to restrict the release of their directory information except to College officials with a legitimate educational interest. To restrict all information, a signed and dated request must be made in writing to the Registrar. The form may be obtained from the Registrar. Should the student graduate or otherwise leave the College, this restriction will remain in place until the student requests for it to be removed. Before requesting to restrict the disclosure of your Directory Information, please consider the following:

- Your information will not appear in the campus online directory, Dean's List, Commencement program, or similar publications.
- Campus will not be able to confirm your enrollment or graduation status to potential employers, insurance agencies, apartment leasing agencies, credit card companies, scholarship committees, or any other third parties. Such parties will be informed that no information is available about your attendance.

The College is permitted to disclose personally identifiable information (PII) from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. The College is required to maintain a record of disclosures of student information except for:

- 1) disclosures to school officials,
- 2) disclosures related to some judicial orders or lawfully issued subpoenas,
- 3) disclosures of directory information,
- 4) disclosures for which the student has given written consent, and
- 5) disclosures to the student (ref. § 99.32 of FERPA regulations).

FERPA generally requires prior written consent from the learner before an educational agency or institution may disclose PII, non-directory information from education records to a third party. However, the law contains exceptions to this general rule. Exceptions that permit the release of personally identifiable information without the learner's prior written consent are set forth in federal regulations at [34 CFR. 99.31](#).

The College may disclose personally identifiable information from an education record of a student without the consent required by §99.30 if the disclosure meets one or more of the following conditions:

- To other school officials, including teachers, within Campus whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1)).
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2)).
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the College's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as

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their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35).

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4)).
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6)).
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8)) Please note: Campus will not release information under this condition without the student's consent.
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9)).
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10)).
- Information the school has designated as "directory information" under § 99.37. (§ 99.31(a)(11)).
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13)).
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§ 99.31(a)(14)).
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15)).

## **Policy Owners**

Registrar, Director of Compliance

*Revision Dates: 12/04/2017, 09/25/2024*