

## Family Educational Rights and Privacy act (FERPA).....Information for Students

### What is FERPA?

The Family Educational Rights and Privacy Act of 1974 helps protect the privacy of student education records. The Act provides eligible students the right to inspect and review education records, the right to seek to amend those records if the student finds them inaccurate, and to limit the disclosure of information from those records. The Act applies to all institutions that are the recipients of federal aid administered by the Secretary of Education. The ACT applies to this school.

### What rights does FERPA afford students with respect to education records?

1. The right to inspect and review their education records within 45 days of the day the institution receives a request for access. Students should submit written requests to the Education and Records office identifying the records they wish to inspect. The staff will make arrangements for access and notify the student of the time and place where records may be inspected.
2. The right to request an amendment to the student's records that the student believes are inaccurate or misleading. The request should be in writing and addressed to the Education and Records Office clearly identifying what the student is requesting to be changed. If the institution decides not to amend the record as requested by the student, the institution will notify the student of its decision and advise the student of his or her right to request a hearing regarding the request for amendment. The student should make the request for a hearing in writing, addressed to the same office. The student will be notified of the time and place for a hearing to be held.
3. The right to consent, or withhold consent, to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Those who do not require consent include but are not limited to school officials with legitimate educational interests, parents of students, over 18, who are being claimed on their parents' most recent tax returns, officials with administrative, supervisory, academic or research, including law enforcement personnel and health staff; a person with whom the institution has contracted, such as an attorney, auditor, or collection agency; a member of the institution's Board of Trustees; another student serving in an official capacity such as a disciplinary or grievance committee, or as a school official performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an educational record to fulfill his or her professional responsibilities.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the institution to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave., SW  
Washington DC 20202-5901

### Who is protected under FERPA?

FERPA protects the education records of students who are currently enrolled or formerly enrolled regardless of their age or status with regard to parental dependency. The education records of students who have applied to but have not attended an institution are not subject to FERPA guidelines, nor are deceased students.

What are education records?

With certain exceptions (noted below) an education record is any record (1) which contains information that is personally identifiable to a student, and (2) is maintained by the institution. With the exception of information about other students, financial records of parents and confidential letters of reference to which the student has waived *access*, a student has the right of access to his or her education records. Education records include any records in whatever medium that are in the possession of any school official. This includes transcripts or other records obtained from a school in which a student was previously enrolled.

What information is not considered part of an education record?

Sole possession records or private notes held by school officials that are not accessible or released to other personnel; Law enforcement or campus security records that are used solely for law enforcement purposes and maintained solely by the law enforcement unit; Records relating to individuals who are employed by the institution (unless contingent upon attendance); Records relating to treatment provided by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional and disclosed only to individuals providing treatment; Records of an institution that contain only information about an individual obtained after that person is no longer a student at that institution, i.e., alumni records.

What is directory information?

This school does not publish a student directory. Should one be published it would include the student's *name*, address, telephone number, field of study, dates of attendance and enrollment status, receipt or non-receipt of a diploma.

How does a student authorize release of his/her education record in the form of an academic transcript?

Students must authorize the release of their transcripts by written request, with signature, either by letter or by filling out a request for transcript form and given or sent to the Education and Records Office. The signed request may also be faxed to the office. A charge may be made for the transcript.

Who may have access to student information?

The student and any outside party who has the student's written request; School officials defined by the institution as having 'legitimate educational interests'; Parents of a dependent student as defined by the Internal Revenue Code; A person in response to a lawfully issued subpoena or court order, as long as the institution makes a reasonable attempt to notify the student first. Normally, the institution will comply with a subpoena after two weeks have elapsed from the day of notifying the student.

When is the student's consent not required to disclose information:

To school officials who have a legitimate educational interest; to federal, state and local authorities involving an audit or evaluation of compliance with educational programs; in connection with financial aid, including Veteran's benefits; To organizations conducting studies for or on behalf of educational institutions; to accrediting organizations; to parents of dependent students; to comply with a judicial order or subpoena; in a health or safety emergency; student directory information; releasing the results of a disciplinary hearing to an alleged victim of a crime of violence.

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## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Associated Technical College policies and practices are in full compliance with state laws and the Federal Family and Educational Rights and Privacy act.

Upon request, the institution will grant students who are or have been in attendance access to their educational records, except those excluded by law, and will provide an opportunity for a hearing to challenge such records.

The institution will not release information about a student from records, except directory information, to people other than a specified list of exceptions without obtaining the written consent of the student.

A full statement of the Family Educational Rights and Privacy Act and information explaining how students may exercise the rights accorded them by this policy are available from the Education and Records Office.

If a student has a complaint about the institution's compliance with state or federal laws concerning student records, the student is encouraged to register that complaint with a school official. While most concerns can and will be addressed promptly by the institution, students may file complaints with the U. S. Department of Education concerning alleged failures by the Institution that any and all information designated should not be released without the student's prior consent. Requests for the restricted release of directory information should be filed at the Education and Records office.

Associated Technical College has identified the following directory information:

- Student's name, local and home address, phone listings and e-mail address.
- Major field of study.
- Dates of attendance.
- Degrees and awards received.

Students should report any change of name, address or marital status to the Education and Records Office so institutional records can be changed.