

## **POLICY ON ACCESS TO STUDENT RECORDS (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their educational records. An “eligible student” is a student who is 18 years of age or older, or who attends a postsecondary institution. The rights granted under FERPA include, among other things, that:

- (1) Students have the right to inspect and review their education records within 45 days of the day the College receives a request for access. Students wishing to review their record should submit to the Registrar, Dean, head of the academic department, or other appropriate official a written request that identifies the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- (2) Students have the right to request the amendment of such records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights. Students who believe their record is inaccurate or misleading may request that the College amend the record by writing to the College official responsible for the record. The request should clearly identify the part of the record to be changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- (3) Students have the right to consent to disclosure of personally identifiable information contained in their education records, except for that information which FERPA authorizes disclosure without consent (a representative list of exceptions appears below).

The College may disclose educational records without written consent of students:

- To personnel within the College who maintain educational records and those with a legitimate educational interest, including faculty or staff who deal with the student and carry out education duties, and employees designated by them to assist in these tasks. St. Francis College defines “legitimate educational interest” as “needs the record(s) to carry out employment responsibilities.” Therefore, any College employee (or person acting on behalf of the College) may have access to student records without the student’s written consent if that person needs access to carry out his or her employment responsibilities.
- To officials at schools, colleges, or universities participating in cross-enrollment programs for the purposes stated in the bullet above. St. Francis College currently exchanges academic information with students cross-enrolled at St. Johns University and New York Methodist Hospital; if other institutions are added, this arrangement will be automatically extended to include them.
- To officials of other colleges or universities in which the student seeks to enroll.

- To accrediting organizations approved by the College carrying out their accrediting functions.
- To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs.
- In connection with a student's request for or receipt of financial aid, as necessary to determine eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid as well as to organizations conducting studies approved by the College having educational value or concerning financial aid.
- To state and local authorities, within a juvenile justice system, if required pursuant to specific state law.
- To parents of an eligible student who claim the student as a dependent for income tax purposes. College officials whose employment duties permit them access to information from parents' federal income tax returns may use those returns to determine whether students are dependent on a parent as defined by the Internal Revenue Service. In such cases, FERPA and College policy permit those officials to disclose information from those student's education records to their parents without written student consent. The College is not required to notify students or maintain a record of these disclosures.
- To persons in compliance with a judicial order or a lawfully issued subpoena, with a notice of the disclosure being sent to the last known address of the student. The College will make a reasonable effort to notify the student of the order or subpoena in advance of compliance, unless otherwise directed by the order or subpoena.
- To persons in an emergency if, in the judgment of an official in charge of the records, knowledge of the information is necessary to protect the health or safety of the student or another person.

Students have the right to file, with the U.S. Department of Education, a complaint concerning alleged failure by the College to comply with FERPA to:

Family Policy Compliance Office  
 U.S. Department of Education  
 400 Maryland Avenue, SW  
 Washington, DC 20202-5920

The College may deny access to the following classes of records:

- Financial information submitted by parents.
- Confidential letters or recommendations placed in the file prior to January 1, 1975.
- Confidential letters or recommendations to which the student has waived rights of inspection.
- Private records of instructors, counselors, or administrators kept for their own use.
- Medical, psychiatric, psychological, or similar records.

Students' names and SFC email addresses will be available to faculty, staff, and other students on the College's computer network, including the e-mail server and the Angel Learning Management system.

Certain state and federal laws modify some or all rights granted by FERPA. Such laws include SEVIS and INS compliance (Department of Homeland Security), Megan's Law, the Solomon Amendment, and NCES/IPEDS/Student Right-to-Know compliance. St. Francis College releases education records as these laws require.

Student Directory information may be released without the student's prior consent. St. Francis College defines the following as Directory Information:

- student's name.
- College-assigned ID number.
- address, telephone numbers, and email addresses.
- age (or date of birth) and place of birth.
- photographs.
- major and minor fields of study.
- level (undergraduate/graduate) and class year.
- schedule(s) of classes, enrollment load(s) (full-time/part-time), and dates of attendance.
- matriculation status and date.
- honors and awards.
- degrees received (including date of award).
- previous institutions attended.
- participation in clubs, sports, or student activities.
- height and weight of members of athletic teams.

To withhold information, students must make a formal request by submitting a signed, dated letter to the Office of the Registrar. Students are advised that withholding information may carry certain consequences. For example, as long as a non-disclosure order is in effect, the student may not participate in intercollegiate athletics where team rosters are published or in commencement ceremonies. St. Francis College assumes no liability for honoring the student's instructions to withhold information.

For additional information, please contact the Office of the Registrar.