

FERPA and your privacy

What is FERPA? FERPA, the Family Educational Rights and Privacy Act of 1974, is a federal law that pertains to the release of and access to educational records. The law, also known as the Buckley Amendment, applies to all schools that receive funds under an applicable program of the US Department of Education. Go to www.ed.gov/policy/gen/guid/fpco to learn more.

To which information does FERPA apply? FERPA applies to personally identifiable information in educational records. This includes items such as the student's name, names of family members, addresses, personal identifiers such as social security numbers, and personal characteristics or other information that make the student's identity easily traceable.

What are educational records? Educational records are all records that contain information directly related to a student and are maintained by an educational agency or institution, or by a party acting on its behalf. A record means any information recorded in any way, including handwriting, print, tape, film, microfilm, microfiche, and digital images.

Educational records do not include the following:

- sole possession records -- records kept in the sole possession of the maker which are used only as a personal memory aid and are not accessible or reviewed by any other person except a temporary substitute for the maker of the record;
- medical or psychological treatment records that include those maintained by physicians, psychiatrists, and psychologists;
- employment records, provided that employment is not contingent upon being a student;
- law enforcement records; and
- records collected about an individual after that person is no longer a student at Howard College/SWCID.

Does FERPA apply to everyone? At Howard College/SWCID, FERPA rights apply to students. A student is a person who is or has been in attendance at the institution, regardless of the person's age.

What are a student's rights under FERPA? Under FERPA, a student has a right to

- inspect and review his or her educational records;
- request to amend his or her educational records;
- have some control over the disclosure of information from his or her educational records.

The college notifies students annually of their FERPA rights via Howard College/SWCID student email. If students believe that such rights have been violated, they may contact the Family Policy Compliance Office at the Department of Education, 400 Maryland Ave SW, Washington DC 2002-4605.

Do students have a right to see and change their educational records? Upon written request, Howard College/SWCID shall provide a student access to his or her educational records except for financial records of the student's parents or guardian; and confidential letters of recommendation where the student has signed a waiver of right of access. If the records contain information on more than one student, the requesting student may inspect, review, or be informed on only the specific information about his or her own records. Educational records covered by FERPA normally will be made available within forty-five days of the request. The contents of a student's educational records may be challenged by the student on the grounds that they are inaccurate, misleading, or otherwise in

violation of the privacy rights of the student by submitting a written statement to the custodian of records. The District Registrar is the official custodian of records at Howard College/SWCID.

Is there some way that I can block my information? A currently-enrolled student may restrict access to their directory information, or may remove their information from public directories, by completing a Student Records Restriction Request Form located in the Admissions office, or on the website: <http://www.howardcollege.edu/pdf/academics/SRRestR.pdf> (Restricted information remains so until revoked by the student).

What is directory information? FERPA identifies certain information, called directory information, that may be disclosed without the student's permission. The college has designated the following information as directory information:

- Student's name
- Local, permanent, and email addresses
- Telephone listing
- Place of birth
- Major fields of study
- Dates of attendance
- Enrollment status
- Degrees, awards, and honors received, including selection criteria
- Most recently attended previous educational institution
- Classification
- Participation in officially-recognized activities and sports
- Weight and height, if a member of an athletic team

Who has access to student educational records? According to FERPA, non-directory information may not be released without prior written consent from the student. Student Records Release forms may be found on the website: <http://www.howardcollege.edu/pdf/academics/SRReIR.pdf>. Exceptions include access by appropriate college administrators, faculty members, or staff members who require access to educational records in order to perform their legitimate educational duties; officials of other schools in which the student seeks or intends to enroll; and in connection with a student's application for, or receipt of, financial aid.

What is legitimate educational interest? Legitimate educational interest is access to educational records by appropriate college administrators, faculty members, staff members, or contractors acting on behalf of the college, who require such access in order to perform their legitimate educational and business duties, when such records are needed in furtherance of the educational or business purposes of the student or college.

Whom should I contact with questions or concerns? Direct general questions to the Admissions office on your respective campus: <http://www.howardcollege.edu/come-to-hc/apply/contact-admissions-registrar.html>