

## **STUDENT SERVICES FERPA POLICY**

### **POLICY**

FERPA (Family Education Right to Privacy Act) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. ([www.ed.gov](http://www.ed.gov))

Schools require written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to school officials with legitimate educational interest; specified officials for audit or evaluation purposes; other schools to which a student is transferring, appropriate parties in connection with financial aid to a student; organizations conducting certain studies for or on behalf of the school; accrediting organizations, to comply with a judicial order or lawfully issued subpoena; appropriate officials in cases of health and safety emergencies; and state and local authorities, within a juvenile justice system, pursuant to specific state law. ([www.ed.gov](http://www.ed.gov))

To respect student privacy, all student service offices with individual student files containing confidential information must have documentation in students' files for student consent. A stamp or log will be placed in all student files. This will allow students to give written consent to have information released or not released to any party or parties that are not listed above.

This policy applies to all students at the College, Blessing Hospital School of Radiological Technology, Blessing Hospital School of Medical Laboratory Technology, and Blessing Hospital Pharmacy Technicians Program.

## **PROTECTION AND DISCLOSURE OF STUDENT RECORDS UNDER FERPA**

### **POLICY**

Students' educational records are protected under The Family Education Rights and Privacy Act of 1974 (FERPA). The purpose of FERPA is to safeguard information found in education records thereby protecting students' privacy.

The law gives students the right to:

- Review their education records.
- Request correction of any inaccurate or misleading data in their education records.
- Consent to disclosure of personally identifiable information in their education records.

### **DEFINITION OF EDUCATION RECORD**

FERPA defines education record as: "All records, files, documents, and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for such agency or institution."

Records kept by the Registrar, Student Services, and Financial Aid Offices are education records and protected by FERPA. Course documents that are filed in students' academic records are education records that are also protected under FERPA.

NOTE: Class rosters, security records, personnel/employment records, and treatment records are not education records. Treatment records are protected under HIPAA.

## **Grades**

Faculty grade books are education records because they contain information directly related to students and the information is used to calculate a grade that is shared with the Registrar's Office. Grade books, grades, grade reports, and transcripts are protected by FERPA.

## **REVIEW OF STUDENT RECORDS**

Students have the right to review their education records. However, students must make a request to access these records and the College has 45 days in which to comply with the request. The following procedure is used to review education records.

1. The student submits a written request that identifies the records to be reviewed. The request is submitted to the office that maintains the records (Registrar, Student Services, and/or Financial Aid Offices).
2. The Registrar, Student Services Officer, Financial Aid Coordinator, or Student Accounts Representative makes arrangements for access and notifies the student of the time and place to review the record(s).

## **Request Correction of Education Records**

Students have the right to request a correction of education records that they believe are inaccurate or misleading. The following procedure is used to make this request.

1. The student submits a request to view the record believed to be inaccurate or misleading.
2. After review of the record, the student submits in writing an explanation of what is and why it is inaccurate or misleading.
3. The College notifies the student in writing of its decision to amend or not to amend the record.
4. The student has the right to request a hearing if not in agreement with the College's decision to not amend the record.
5. After the hearing, if the College decides not to amend the record, the student has the right to place a statement with the record setting forth his/her view about the contested information.

## **CONSENT TO DISCLOSE PERSONALLY IDENTIFIABLE INFORMATION**

Students have the right to give consent to disclosure of any personally identifiable information from their education records. Disclosure is defined by FERPA as: "Access, release, or transfer of personally identifiable information about a student."

In compliance with FERPA, the College does not give access, release, or transfer student information unless the student has given written consent.

## **Release of Education Records**

Students give consent to disclose information when they complete and sign the *Authorization to Release Confidential Information* form during fall registration. The form identifies the specific individuals who have permission from the student to obtain information from education records. The authorization to release information form covers all education records at the College whether academic, student services, or financial aid.

The authorization to release information remains in effect until the student amends the form, either rescinding or giving permission for a specific person to obtain information from education records. The form is obtained from the College's Registrar's Office.

## **Release of Directory Information**

FERPA defines a directory as information that can be given to third parties and the public without students' prior consent. FERPA identifies directory information as the following personally identifiable information: "A student's name; student's address; student's e-mail address; student's phone number; parents' names; parents' phone numbers; student's date of birth; major field of study; minor field of study; academic advisor; participation in officially recognized activities and sports; dates of attendance; degrees; honors; and awards received; most recent school attended; and photograph."

Of the above directory information, the College only discloses the student's name, local address, College email address, contact phone number, and photograph as part of the Student Directory in CAMS. Please note that the Student Directory in CAMS is for internal use only so faculty and staff have students' contact information in case of an emergency and to follow-up with clinical issues and therefore students cannot opt out of this directory.

The College releases students' names and class levels to Blessing Hospital so students' name badges can be printed and BAR and NetLearning accounts can be created. Student names are forward to clinical sites and/or appear on patient assignment sheets in the clinical setting so clinical site personnel know which students are taking care of their patients. Students cannot opt out of the release of this information.

The College does not release directory information to third parties requesting directory information. However, in compliance with Title IV, the College releases students' names, addresses, phone numbers, and College email addresses to the armed services when requested. The College also releases honors lists and graduation lists to the area's newspapers. Students may opt out of the release of this information by notifying the College's Registrar's Office in writing.

## **Exceptions to Consent to Disclose Student Information**

FERPA permits disclosure without student consent under the following circumstances and the College, in compliance with FERPA, will release information when these circumstances occur.

### *Legitimate Educational Interest*

College employees who are in administrative, counseling, supervisory, academic, student support, and research positions are allowed access to student information when: a) they need specific student information to perform their tasks, b) these tasks are within the scope of their positions, and c) their use of student information is consistent with the College's purposes.

### *Official Audits or Evaluations*

The College releases student information to federal and state educational agencies when these agencies need student information to audit, evaluate, or enforce educational programs, rules, and regulations.

### *Financial Aid*

The College releases student information when required to determine: a) financial aid eligibility, b) amount of financial aid awarded, and c) conditions under which financial aid is granted. The College also gives access to student information when auditors are enforcing the terms and conditions of financial aid.

#### *Accreditation*

The College releases student information when accrediting agencies need student information to complete an accreditation.

#### *Judicial Orders and Subpoenas*

The College must release student information when requested by a judicial order or subpoena. However, the College, in compliance with FERPA, will notify the student before complying with the subpoena, unless the court ordered that the contents of the subpoena are not disclosed or protected education records were not part of the subpoena.

#### *Ex Parte Court Orders under the USA PATRIOT Act*

The College releases student information without notification or consent of the student when requested by the attorney general per an ex parte court order under the USA PATRIOT Act. Before releasing the information, the College will take steps to ensure that the court order is valid.

#### *Registered Sex Offenders*

The College discloses, without student consent or notification, information about a student who is required to register as a sex offender under the Wetterling Act.

#### *Health and Safety Emergencies*

The College will disclose student information to appropriate officials when necessary to protect the health and safety of the student or other individuals.

#### *De-identification of Personal Information*

FERPA permits the release of information from education records without students' consent when all personally identifiable information is removed. This release of information is done by the College for research and quality improvement purposes. When the College discloses education records, personal information of individuals other than the student are redacted before copies of records are released.

### **FILING COMPLAINTS**

Students have the right to file a complaint with the US Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. Students who need assistance or who wish to file a complaint should do so in writing to the Family Policy Compliance Office, sending pertinent information concerning allegations, to the following address:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC20202-5920