



BLESSING-RIEMAN
**College of Nursing
& Health Sciences**

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Owner Reta Richmond:
Executive Assistant-
Brcn
Area Student Development
Committee
References Board reviewed 5/
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Protection and Disclosure of Student Records Under FERPA

PURPOSE

To clarify federal requirements and the processes used by the College for the protection and disclosure of student records.

POLICY

The College complies with the Family Education Rights and Privacy Act of 1974 (FERPA) in order to safeguard information found in education records thereby protecting student privacy.

PROCEDURE

FERPA 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.

Education Record

FERPA (2021) defines *education record* as:

Records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution, including, but not limited to the

following records kept by the Offices of the Registrar, Student Services, and Financial Aid:

- Grades and grade books
- Transcripts
- Class lists
- Student course schedules
- Health records
- Student financial information
- Student discipline files
- Course documents filed in student academic records

The information may be recorded in any way, including, but not limited to:

- Handwriting
- Print
- Computer media
- Videotape
- Audiotape
- Film, microfilm, microfiche
- E-mail

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

Student Review of Records

Students have the right to review their education records.

The following process is used to review education records:

- The student submits a written request identifying the records to be reviewed.
- The request is submitted to the office maintaining the records (Registrar, Student Services, and/or Financial Aid).
- 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).

The College has 45 days in which to comply with the request for review of education records.

Student Request for Correction of Education Records

Students have the right to request a correction of education records believed to be inaccurate or misleading.

The following process is used to make a request for correction of education records:

- The student submits a request to view the record believed to be inaccurate or misleading.
- After review of the record, the student submits in writing an explanation and rationale for what is believed to be inaccurate or misleading.
- The student request for amendment to the record will be reviewed by the appropriate College staff, faculty, and/or administration and a decision made to approve or deny the request.
- The College notifies the student in writing of the decision to amend or not to amend the record.
- The student has the right to request a hearing if not in agreement with the decision of the College.
- 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 their view regarding the contested information.

Student Consent for Disclosure

Students have the right to permit disclosure of any personally identifiable information from their education records.

FERPA (2021) defines *disclosure* as permitting access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means (oral, written, or electronic) to any party except the party identified as the party that provided or created the record.

Release of Education Records

In compliance with FERPA, the College does not provide access, release, or transfer student information without the written consent of the student.

Upon enrollment, students provide consent to disclose information by completion and signature of the *Authorization to Release Confidential Information* form from the Office of the Registrar.

The *Authorization to Release Confidential Information*:

- Identifies the specific individuals who have permission to obtain information from education records.
- Covers all education records at the College (academic, student services, or financial aid).
- Remains in effect until the student amends the form, giving permission for a specific person to obtain information from education records, or completing the FERPA Authorization Revocation Form to revoke permission from a previously permitted person.
 - Records obtained after graduation (employment, donation info, etc.) are not protected by FERPA

Release of Directory Information

According to FERPA (2021) *directory information* includes personal information about a student that can be made public according to a school's student records policy. Directory information may include, but is not limited to:

- Name

- Address
- Telephone number/E-mail address
- Photograph
- Major
- Enrollment Status
- Degrees, honors, awards

Exception for Release of Directory Information

The College complies with U.S. officials by releasing the following directory information for Armed Services Requests:

- Names
- Addresses
- Phone numbers
- College e-mail addresses

Students may opt out of the release of this information by written request to the Office of the Registrar.

Exceptions to Consent to Disclose Student Information

In compliance with FERPA, the College releases the following information without student consent:

Legitimate Educational Interest

College employees in administrative, counseling, supervisory, academic, student support, and research positions are allowed access to student information when specific student information is needed to perform tasks:

- Within the scope of their positions.
- Consistent with the purposes of the College.

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:

- Financial aid eligibility
- Amount of financial aid awarded
- Conditions under which financial aid is granted.

The College also provides 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 for completion/renewal of accreditation.

Judicial Orders and Subpoenas

The College must release student information requested by a judicial order or subpoena.

In compliance with FERPA, the College will notify the student prior complying with the subpoena:

- Unless ordered by the court that the contents of the subpoena are not disclosed.
- Unless 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 information, the College will take steps to ensure validity of the court order.

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 discloses 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 student 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 U. S. 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

Reference

U.S. Department of Education. (2021). Family Educational Rights and Privacy Act (FERPA). <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Attachments

 [FERPA Authorization Revocation Form.pdf](#)

 [FERPA Release Form](#)

Approval Signatures

Step Description	Approver	Date
Approval by Student Development Committee	Jessica Loos: Assoc Prof W/ Doctorate	Pending
Approval by Student Development Committee	Andrew Griesbaum: STUDENT SERVICE OFFICER-BRCN	Pending