

Family Educational Rights and Privacy Act of 1974, As Amended

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

Review and Correction:

- A student has the right to inspect and review his/her educational records within 45 days of the day the College receives a request for access. Students should submit to the Campus Registrar written requests that identify 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 Registrar, the student will be advised of the correct official to whom the request should be addressed. If circumstances prevent the student from inspecting and reviewing the records in person, such as distance or disability, or other circumstance, a copy of the student's educational record at the institution may be provided at the University's option. A charge will be assessed for such copies.
- A student has the right to request the amendment of his/her educational records that the student believes is inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write to the College official responsible for the record, clearly identify the part of the record they want 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.

Disclosure of Educational Records:

- Information defined as Directory Information may be released without a student's consent. American Career College defines Directory Information to include:
 - Name
 - Address
 - Phone Number
 - Email address
 - Birthday and month
 - Enrollment Status/Grade Level (e.g. First Term, Second Term, etc.)
 - Date of Graduation
 - Degrees and Honors Received
 - Photos
 - Major Field of Study
 - Dates of Attendance
 - Participation in officially recognized activities and sports
 - Most Recent School Attended
 - A student ID or online user ID (as long as it may not be used to access educational records except when in conjunction with a student's personal password or personal PIN)
- A student's social security number can never be considered Directory Information.
- A student may opt out of Directory Information disclosure by submitting a written request to the Registrar within 80 days of the student's start of classes.

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- Definitions:
 - *Authorized representative* is defined as any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct – with respect to Federal- or State-supported education programs – any audit or evaluation, or any compliance or enforcement activity in connection with Federal legal requirements that relate to these programs.
 - *Legitimate educational interest* is defined as a “need to know,” in which the requesting party requires a student’s records for purposes that are essential to the general process of higher education, including teaching, research, public service, academic advising, counseling, job placement, financial assistance and advisement, accreditation, audit, medical services, and safety. A faculty or staff member, for example, has legitimate educational interest if they are performing a task that is specified in his/her position description, performing a task related to a student’s education or to student discipline, providing a service or benefit related to the student or student’s family, or are maintaining safety and security on campus.
 - *Personally Identifiable Information* is defined as a student’s name, the name of the student’s family members, the address of the student or the student’s family, the student’s social security number, student number (when meeting the conditions given below), fingerprint, retinal scan, or other biometric indicator and any other direct identifier of the student. Personally identifiable information also includes indirect identifiers, such as date of birth, place of birth and mother’s maiden name or other information that alone or in combination is linked or linkable to a specific student.
 - *School Official* is defined as any school faculty or employee who has a legitimate educational interest in the student’s programs. This includes college and campus administrators, the student’s teachers, college and campus registrar staff, compliance officers, financial aid officers, student service staff, academic advising, placement, and other college staff demonstrating a “need to know” information in the student file.
- Generally, schools must have written permission from the student in order to release any personally identifiable information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials, including teachers, with legitimate educational interest, as defined;
 - Authorized representatives with a legitimate educational interest, as defined;
 - Other schools to which a student is transferring or has already transferred;
 - Specified officials for audit or evaluation purposes;
 - 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.

Family Educational Rights and Privacy Act (FERPA)

- It is possible, under limited circumstances, that your record could be disclosed by one of the parties listed above, to another authorized representative with a legitimate educational interest. For example, your record may be provided to the US Department of Education for audit purposes, and the Department could share that record with the Office of Inspector General.
- 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. Complaints must be filed within 180 days of the alleged violation and specify the violation with enough detail to identify the referenced violation. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
Department of Education
Independence Avenue, SW
Washington, DC 20202-4605

- The College will maintain a log of all written FERPA record requests including the records disclosed and the interest of the parties who requested the records.
- Additional FERPA information available from the College's Registrar's Office includes:
 - Procedures for the inspection and review of records;
 - Procedures for requesting amendment of records; and
 - Other related procedures.