

## ***APPENDIX F: THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT***

### **CENTRE'S POLICIES ON THE CONFIDENTIALITY OF STUDENT RECORDS AND ACCESS TO RECORDS**

The Family Educational Rights and Privacy Act of 1974, as amended, is a federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students be made available. The law provides that the institution will maintain the confidentiality of student education records.

Centre College accords all the rights under the law to students. No one outside the institution shall have access nor will the institution disclose any information from students' education records without the written consent of students except to personnel within the institution, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. In addition, grades may be released to parents if the parents submit a request in writing accompanied by a tax return or other official document which verifies the students' status as dependents. All these exceptions are permitted under the Act.

Within the Centre College community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include, for example, personnel in the registrar's office, deans' offices, finance office, financial aid office, admission office, academic advisors, and other academic personnel within the limitations of their need to know.

At its discretion, the institution may provide directory information in accordance with the provisions of the Act to include: student name, address, telephone number, date and place of birth, major and minor fields of study, dates of attendance, degrees and awards received, the most recent previous educational institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Students may withhold directory information by notifying the registrar in writing within two weeks after the first day of classes for the fall term. Forms for making such a request are available in the registrar's office. Requests for non-disclosure will be honored by the institution for only one academic year; therefore, authorization to withhold directory information must be filed annually in the registrar's office.

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if the decisions of the hearing panels are unacceptable. The registrar at Centre College has been designated by the institution to coordinate the inspection and review procedures for student education records.

Student records are kept in several offices on campus. Appropriate admission records are transferred to the registrar's office upon enrollment at the College. Academic records are maintained in the registrar's office. Financial records are maintained in the finance office and the financial aid office. Placement records are maintained in the career services office. Academic disciplinary records are maintained in the associate dean's office. All other disciplinary records are maintained in the vice president and vice president and dean of students' office. Disciplinary records are destroyed after a student graduates unless disciplinary action results in required withdrawal, suspension, or expulsion, in which case the record is transferred permanently to the registrar's office.

Students wishing to review their education records should make their requests to the appropriate office, listing the item or items of interest; a written request may be required. Records covered by the Act will be made available within 45 days of the request. Students may have copies made of their records with certain exceptions, (e.g., a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere). These copies would be made at the students' expense. Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute, student health records, employment records, or alumni records. Health records, however, may be reviewed by physicians of the students' choosing.

Students may not inspect and review the following as outlined by the Act: financial information submitted by their parents; confidential letters and recommendations associated with admission, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access only to that part of the record which pertains to the inquiring student. The institution is not required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights may discuss their problems informally with the registrar. If the decisions are in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended; and they will be informed by the registrar's office of their right to a formal hearing. Student requests for a formal hearing must be made in writing to the dean of the College who, within a reasonable period of time after receiving such requests, will inform students of the date, the place, and the time of the hearings. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the student's expense. The Academic Standards Committee of the Curriculum Committee will adjudicate such challenges.

Decisions of the Academic Standards Committee of the Curriculum Committee will be final, will be based solely on the evidence presented at the hearing, will consist of written

statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decision of the Academic Standards Committee of the Curriculum Committee, if the decisions are in favor of the students. If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the Academic Standards Committee of the Curriculum Committee. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the president of the College to aid them in filing complaints with The Family Rights and Privacy Act Office (FERPA), Department of Education, Room 4074, Switzer Building, Washington, D.C. 20202.