

Family Educational Rights and Privacy Act of 1974 as Amended

The Family Educational Rights and Privacy Act (FERPA) (20 USC Section 1232g; 34 CFR Part 99) 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. Additional information on FERPA is available online at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Definitions of Terms

Student: Includes any person who attends or has attended Carroll College.

Education Records: Includes any record, with certain exceptions, maintained by Carroll College with a student's name, or students' names, on it. This includes files, documents, and materials in whatever medium (electronic, written, print, tapes, disks, film, microfilm, and microfiche) which contain information directly related to students and from which students can be individually identified. Exceptions are:

1. A personal record kept by the maker if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. An employment record of an individual whose employment is not contingent on the fact that he or she is a student.
3. Records maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, which are used solely in connection with the provision of treatment of a student and not disclosed to anyone other than individuals providing such treatment.
4. Alumni records which contain information about a student after he or she is no longer in attendance at Carroll College and which do not relate to the person as a student.
5. Law enforcement records.

Procedure to Inspect Education Records

Students may inspect and review their education records upon request to the appropriate record custodian. Students should submit to the record custodian a written request that identifies as precisely as possible the record or records he or she wishes to inspect. The record custodian will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request. When a record contains information about more than one student, the student may inspect and review only the records that relate to him or her.

Student Right to Know

Under the terms of the Student Right to Know Act, Carroll College maintains and reports the information to students according to federal guidelines. Statistical reports provided:

- Number of students receiving aid related to athletics reported by race and gender
- Graduation rate for athletes participating in specific sports reported by race and gender
- Graduation rate for students in general reported by race and gender
- Annual campus security report
- Financial assistance available to students enrolled at Carroll College.

Copies of these reports are available by contacting the Registrar's Office or online at <http://www.carroll.edu/about/information/>

Right of Carroll College to Refuse Access

Carroll College reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in file before January 1, 1975.
3. Records connected with an application to attend Carroll College if that application was denied.
4. Those records which are excluded from the FERPA definition of education records.

Refusal to Provide Copies

Carroll College reserves the right to deny transcripts or copies of records not required to be made available by the FERPA in any of the following situations:

1. The student has an unpaid financial obligation to the College.
2. There is an unresolved disciplinary action against the student.

Fees for Copies of Records

A fee for copies may be charged.

Education Records

<u>Types</u>	<u>Location</u>	<u>Custodian</u>
Admission	Admission or Registrar O'Connell Hall	Admission Staff Registrar's Staff
Academic	Registrar O'Connell Hall	Registrar's Staff
Health	Wellness Center Guadalupe Hall	Wellness Center Staff
Financial Aid	Financial Aid O'Connell Hall	Financial Aid Office Staff
Financial	Business Office O'Connell Hall	Student Accounts Representative
Placement	Career Center Borromeo Hall	Career Center Staff
Progress	Academic Advisor Registrar	Advisor Registrar
Disciplinary	Student Life O'Connell Hall	VP for Student Life

Disclosure of Education Records

Carroll College will disclose information from a student's education records only with the written consent of the student, except:

1. To school officials who have a legitimate educational interest in the records. A school official is:
 - A person employed by the College in an administrative, supervisory, academic, or authorized support staff position.
 - A person employed by or under contract to the College to perform a special task, such as the attorney or auditor.A school official has a legitimate educational interest if the official is:
 - Performing a task that is specified in his or her position description or by contract agreement.
 - Performing a task related to a student's education.
 - Performing a task related to the discipline of a student.
2. To certain officials of the U.S. Department of Education, Comptroller General, and state and local educational authorities in connection with certain state or federally supported education programs. *
3. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
4. If required by state law requiring disclosure that was adopted before November 19, 1974.
5. To organizations conducting certain studies authorized by the College in compliance with FERPA guidelines. *
6. To accrediting organizations to carry out their functions.
7. To comply with a judicial order or a lawfully issued subpoena.
8. To appropriate parties in a health or safety emergency.
9. To an alleged victim of any crime of violence of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

* As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local edu-

cation authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Record of Requests for Disclosure

Carroll College will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, and additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the eligible student.

Directory Information

Carroll College designates the following items as college directory information: student name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, thesis title, most recent previous school attended, and photograph. The College may disclose any of these items without prior written consent unless notified in writing to the contrary.

Correction of Education Records

Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

1. A student must ask the custodian of the record to amend a record. In so doing, the student should identify the part of the record he or she wants changed and specify why he or she believes it is inaccurate, misleading, or in violation of his or her privacy or other rights.
2. Carroll College may comply with the request or it may decide not to comply. If it decides not to comply, Carroll College will notify the student of the decision and advise him or her of his or her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, Carroll College will arrange for a hearing and notify the student reasonably in advance of the date, place, and time of hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.
5. Carroll College will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If Carroll College decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the student that he or she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If Carroll College discloses the contested portion of the record, it must also disclose the statement.
8. If Carroll College decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.

For additional Information visit the Department of Education website at:

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>