

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 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.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." Please refer to "The Fine Print" for the complete policy and your rights.

Directory Information Public Notice

Annually, Bristol Community College informs students of the Family Educational Rights and Privacy Act of 1974, (FERPA) as amended. This act was designed to protect the privacy of education records, establish students' rights to inspect and review their educational records, and provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. FERPA follows.

Students also have the right to file complaints with the Family Educational Rights and Privacy Act Office about alleged failures by the institution to comply with the Act. Local policy explains in detail the procedures to be used by the institution for compliance with the provisions of the Act. Copies of the policy can be found in the Enrollment Center. This office also maintains a records directory which lists all education records maintained on students by the institution. Contact the Registrar's Office with questions concerning the Act.

Bristol Community College considers the categories of student information listed below as public or "Directory Information." Such information may be disclosed by the institution for any purpose at its discretion.

Category I: Name, address, phone number, dates of attendance, class

Category II: Previous institutions attended, major field of study, awards, honors, degree(s) conferred (including dates)

Category III: Past and present participation in officially recognized sports and activities; physical factors (height, weight of athletes); date and place of birth.

Currently enrolled students may withhold disclosure of any category of information under the Family Educational Rights and Privacy Act of 1974, as amended.

To withhold disclosure, written notification must be received in the Registrar's Office prior to the tenth day in a given semester. Forms requesting the withholding of directory information are available in the Registrar's Office.

Bristol Community College assumes that failure on the part of any student to specifically request the withholding of any category of directory information indicates individual approval of

disclosure. Students who have withheld directory information will not be listed in Commencement announcements, including the program, unless a release is given to the College.

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- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have 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 the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest
 - Other schools to which a student is transferring
 - 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

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of

their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call 202.260.3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1.800.877.8339.

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

Students' Rights Under FERPA

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

(1) The right to inspect and review the student's education records within 45 days of the day the College receives a request for access.

Students should submit to the Registrar, Dean, Head of the academic department, or other appropriate official 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 College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

(2) The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write 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.

(3) The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll. [NOTE: FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records upon request.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy
Compliance Office
U.S. Department of Education
600 Independence Ave., SW
Washington, DC 20202-4605