



# ACCESS TO & PRIVACY OF EDUCATIONAL RECORDS

## Family Educational Rights & Privacy Act of 1974 (FERPA)

The purpose of the Family Educational Rights and Privacy Act of 1974, known as FERPA or the “Buckley Amendment,” applies to all educational institutions and educational agencies that receive funds under any program administered by the U.S. Secretary of Education. The purpose of the Act is two-fold: (1) to assure students attending an institution of postsecondary education access to their education records; and (2) to protect such individuals’ rights to privacy by limiting the transferability of their records without their consent.

## Education Record

Education records are defined as records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. Education records are not just “files” on students. They are records maintained in any way, including but not limited to handwriting, computer media, print, email, film, microfilm/microfiche, video or audio tape. Education records do not include: Sole Possession Records, Law Enforcement Unit Records, Employment Records, Health Records, Alumni Records (however, FERPA regulations apply).

## Disclosure of Education Records

Student records are maintained in the Registrar’s Office. In accordance with FERPA, the College is restricted as to the release of certain educational records information, without the written consent of the student. The College can release “directory information” which includes names, address, college email address, major/minor, degrees, diplomas, certificates, and date of award, honors and awards, weight, height and related information of athletic team member. Students must notify the Registrar in writing within thirty (30) days of the receipt of this notification, that he or she does not want any or all of the information designated as directory information disclosed.

The College is authorized by FERPA to release personally identifiable information without the student’s consent to:

- College officials and staff, to include instructors, within the institution who have a legitimate educational interest
- The Comptroller General of the United States
- Attorney General of the United States (for law enforcement purposes)
- Secretary of Education
- State and Local Education Authorities
- Appropriate parties if a health or safety emergency exists and the information will assist in resolving the emergency

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These parties may only receive access to education records if it is in connection with an audit or evaluation of Federal or state support education program or for the enforcement of or compliance with Federal legal requirements which relate to those programs. In compliance with the Solomon Amendment, the College is also required to provide directory information to the Department of Defense.

## **Access to Education Records**

In accordance with FERPA, students have the following rights:

- 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, 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 students 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 records, clearly identifying 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 disclosures 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 interest. The school official is a person employed by the College in an administrative, supervisory, academic or 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 agency); a person serving on the Area Commission; or a student serving on an official committee, such as a 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 another school in which a student seeks or intends to enroll.
- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by FDTIC to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:**

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4606

For more information on the FERPA go to [ed.gov/offices/oii/fpc/ferpa](https://ed.gov/offices/oii/fpc/ferpa) or [fdtc.edu](https://fdtc.edu)