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Policy Name: Compliance with and Annual Notification of Student Rights under the Family Educational Rights & Privacy Act

Policy Number: C-6

Functional Area(s) Responsible: Enrollment Management

Owner(s) of Policy: One Stop / Student Records

Most Recent BOT Approval Date: Spring 2015

Most Recent Review Date: Spring 2023

Most Recent Review/Revision Type: none minor/non-substantive substantive/extensive

Policy Statement:

Finger Lakes Community College complies with the Family Educational Rights and Privacy Act (FERPA). As part of FERPA requirements Finger Lakes Community College will notify students annually of their rights. Finger Lakes Community College, through the procedures outlined below, ensures student FERPA rights are met. A FLCC student has the right to:

- inspect and review their education record within 45 days of the day the College receives a request for access
- request the amendment of their education record that they believe is inaccurate or misleading
- consent to disclosures of personally identifiable information contained in their education record, except to the extent that FERPA authorized disclosure without consent
- file a complaint with the U.S. Department of Education concerning alleged failures by Finger Lakes Community College to comply with the requirements of FERPA

Reason(s) for Policy:

The FERPA legislation affords students certain rights with respect to their education records.

Applicability of Policy:

All students, faculty and staff should be familiar with this policy.

Definitions:

None

Related Documents:

- Family Educational Rights & Privacy Act (FERPA)
<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Procedures:

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

The student should submit to the Registrar a written request that identifies the record(s) they wish to inspect. The Registrar 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 Registrar shall collect the documents and make them available for inspection. The Registrar shall advise the student of their right to request an amendment, if they feel the record is inaccurate or misleading.

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 Registrar, 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 Registrar will notify the student of the decision and advise the student of their 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.

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

- A. One exception that 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 or research, or support staff position (including Campus Safety 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 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.

- B. Upon request, and under special circumstances, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll.
- C. The College designates the following as directory information and will release it without prior written consent, unless the student has informed the Registrar in writing that he/she does not want his/her directory information released. The directory information includes:

- Name
- Address
- Telephone Number
- Photograph or Likeness
- Date and Place of Birth
- College-assigned email address
- Major Field of Study
- Participation in Officially Recognized Activities and Sports
- Weight and Height of Members of Athletic Teams
- Dates of Attendance at FLCC
- Degrees, Certificates, Microcredentials, and Awards Received

Eligibility for Honor Societies

Most Recent Previous Educational Agency or Institution Attended by the Student
Dean's List Qualification

Solomon Act – Military Access to Education Records:

The Solomon Amendment (10 U.S.C. §982:32 C.F.R. 216.65 F.R. 2056) is not a part of FERPA, but it allows military organizations access to information ordinarily restricted under FERPA for the purpose of military recruiting. Specifically, the Solomon Amendment permits the Department of Defense entities to physically access institutional facilities to recruit students, and to obtain students' names, addresses, phone numbers, age, class, and degree program once every term. The Solomon Amendment only applies to enrolled students over age 17.

Students have the right to restrict disclosure/release of directory information to third-parties. While students are attending FLCC, they must file the notification to withhold directory information annually. Forms for this purpose are available from the Student Records Registrar's Office or the One Stop Center.

Filing a Complaint

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Finger Lakes Community College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Educational Rights & Privacy Office Department of Education
330 Independence Avenue, S.W.
Washington, DC 20201

Forms/Online Processes:

- Student Consent to Release Non-Directory Information form
- Directory Information Restriction Request form

Appendix:

None