

VERMONT TECH

Manual of Policy and Procedures

<i>Title:</i> The Family Educational Rights and Privacy Act	<i>Number:</i> T 115	<i>Page(s):</i> 3
	<i>Date:</i> June 30, 2009	

PURPOSE

The Family Educational and Privacy Act (FERPA) is a federal law designed to protect the privacy of student educational records. The law gives eligible students, those who have reached the age of 18, or the parents or guardians of students under the age of 18, certain rights with respect to their education records. Students have the right to inspect and review their educational records, to have some control over the disclosure of personally identifiable information from their records and to seek to amend records.

STATEMENT OF POLICY

1. Generally, the College must have written permission from the student before disclosing personally identifiable information from a student's educational record. However, the law allows the college to disclose educational records without consent, to the following parties:
 - a. College employees who have a need to know
 - b. Other schools to which the student is applying
 - c. Certain government officials in order to carry out lawful functions
 - d. Appropriate parties in connection with financial aid to a student
 - e. Parents of dependent eligible students
 - f. Organizations conducting studies for the college
 - g. Accrediting organizations
 - h. Individuals who have obtained court orders or subpoenas
 - i. Persons who need to know in cases of health and safety emergencies; and state and local authorities, within the justice system, pursuant to specific state law
2. Annually, as part of the notification procedures, students are requested to complete a FERPA release form with the Office of the Registrar that specifies persons or parties approved for disclosure of educational information.
 - a. If a parent or guardian claims a student as a dependent, they may have access to the student's educational records without prior written consent.
 - b. Written consent should specify the records to be disclosed, the purpose of the disclosure, identify the party (parties) to whom disclosure may be made and contain date and signature.
3. FERPA applies to matriculated, enrolled and former students and does not apply to applicants or

registrants that never attended class. Individuals who are denied admission are not entitled to have access to materials used in the admissions process, even if they are subsequently admitted. FERPA does not apply for deceased students or former students.

4. Students have the right to request to review their educational records.
 - a. Student requests to view their educational records must be made in writing to the Dean of the College, who within 45 days after receiving such requests will arrange for a place and time for the review
 - b. Students do not have the right to copies of records used for review.
 - c. Students have the right to request that the College correct educational records believed to be inaccurate or misleading after review. If the College decides not to amend the record, the student then has the right to a formal hearing.
 - d. Student requests for a formal hearing must be made in writing to the Dean of the College, who within 14 days after receiving such requests, will inform student of the date, place and time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of their choice, including attorneys, at the students' expense. The hearing panels which will adjudicate such challenges will be composed of individuals designated by the President.
 - e. Decisions of the hearing panels 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 decisions of the hearing panels 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 hearing panels. 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.
 - f. The review process is not intended to allow students to question substantive judgments which are correctly recorded, such as grades or standing.

5. At the discretion of the College, it may disclose without consent directory type information that is considered not to be harmful to the student or parent (guardian), if released. The information considered by the College to be directory information includes releases to the news media student achievements such as honors, graduation, athletic participation and awards, photographic likeness in official college publications and promotional materials, etc.

Current items:

- g. Name
- h. Address
- i. E-mail address
- j. Parent's name
- k. Parent's address
- l. Telephone number
- m. Class schedule
- n. Dates of attendance
- o. Photographs
- p. Program(s) field of study
- q. Date of disenrollment, but not reason if prior to graduation
- r. Anticipated graduation date


- s. Degree earned, if any, and date conferred
 - t. Awards and honors received
 - u. Weight and height of members of athletic teams
 - v. Participation in officially recognized activities and sports
 - w. Previous educational institutions attended
6. Students desiring to have any part of their directory information withheld may do so by completing a form with the Office of the Registrar. Although any or part of the directory information may be withheld, all information will be withheld from a variety of sources until it can be determined that release of requested information is authorized. This may include friends, relatives, and perspective employers, honor societies, the news media, the National Student Loan Clearinghouse, etc. This restriction will not be removed without further written request to the Office of the Registrar. Initial non-disclosure requests should be made within the first 14 days of the start of a term to avoid publication in term directories.
7. Students have immediate access to grades, transcripts and grade point average through the internet. Additional release of this information will normally only be done upon written request.

<u>8. Location and Responsibility for Records Person Responsible</u> Registrar	Type of Record(s)
Director of Admissions	Official cumulative file of currently enrolled students. FERPA waiver forms. Official archives on former students.
Director of Financial Aid	High school transcripts, applications, test scores.
Dean of Administration Dean of the College Student Services/TRIO	Scholarships, grants, loans, work-study records, family income background on financial aid applicants. Billing and payment records Medical and disciplinary records Learning Disabilities testing & evaluation records

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

POLICY MODIFICATION HISTORY

- I. The following dates reflect chronological changes made to this policy which are henceforth considered depreciated.
- a) 3/7/1975
 - b) 11/12/1991
 - c) 7/27/2005
 - d) 6/30/2009

Signed By:  Patricia Moulton President
--