

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Annual FERPA Notification 2017

What is FERPA? The Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment, protects the privacy of student records. The Act provides for the right to inspect and review education records, the right to seek to amend those records, and the right to limit disclosure of information from the records. The Act applies to all institutions that are recipients of federal funding. The regulations for FERPA can be found in 34 CFR, Part 99.

Who is protected under FERPA?

Students who are currently enrolled at LeMoyne-Owen College (LOC), or were formerly enrolled, are covered under FERPA. Students who have applied but have not attended LeMoyne-Owen College do not have rights under FERPA.

What are Education Records? With certain exceptions, a student has rights of access to records that are directly related to him/her and are maintained by LeMoyne-Owen College or a party authorized to keep records for LeMoyne-Owen College. "Education Records" generally include any records in the possession of LeMoyne-Owen College that contain information directly related to a student, with the exception of those addressed below. FERPA contains no requirement that certain records be kept at all. This is a matter of institutional policy and/or state regulation. The records may be handwritten or in the form of print, computer, magnetic tape, email, film or other medium. FERPA coverage includes records, files, documents and data directly related to students. This would include transcripts or other records obtained from a school in which a student was previously enrolled.

What is not included in an Education Record?

Records not covered under FERPA include:

- Sole-possession records or private notes held by educational personnel that are not accessible or released to other personnel.

- Law enforcement or campus security records that are solely for law enforcement purposes.
- Records relating to an individual's employment by LOC (unless employment is contingent on Student status).
- Records relating to treatment provided by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional, and disclosed only to individuals providing treatment.
- Records of LeMoyne-Owen College that contain only information about an individual obtained after that person is no longer a student at LeMoyne-Owen College (e.g., alumni records).

What documents can be removed from an Education Record before the student views the record? Any information that pertains to another student and some confidential letters and statements of recommendation under conditions described in FERPA section 99.12 can be removed before the student views the record.

What is Directory Information?

LeMoyne-Owen College may disclose information about a student without violating FERPA through what is known as "directory information." This generally includes a student's name, address, telephone number, date, and place of birth, major field of study, participation in officially recognized sports and activities, weight and height of athletes, dates of attendance, degrees, and awards received, and other similar information. We are required to annually notify students in attendance of what constitutes directory information. This notice must also provide procedures by which students can restrict LOC from releasing his/her directory information.

Who would generally be permitted access without the Students written consent?

Those generally permitted access to Education Records include LOC officials who have "legitimate educational interests", and the issuer of a judicial order or subpoena that allows us to release records without the student's consent. However, a "reasonable effort" must generally be made to notify the student before complying with the order.

When do you need consent to disclose personally identifiable information from an Education Record (including transcripts)? With specific exceptions (listed below), written consent must be signed, dated and provided by the student before any disclosure is made. The consent must specify the records that may be disclosed, state the purpose of disclosure, and identify the party or class of parties to whom the disclosure may be made.

What is "**Personally Identifiable Information**"? Personally Identifiable Information includes:

- The student's name.
- The name of the student's parent, or other family members.
- The address of the student or student's family.
- A personal identifier, such as a social security number or student number.
- A list of personal characteristics that would make the student's identity easily traceable.

When is the student consent to disclose information not required?

The student's consent to disclose information is not required for disclosures:

- To LeMoyne-Owen College faculty, staff, and administrators with a legitimate educational interest.
- To Federal, State and local education authorities involved in an audit or evaluation of compliance with education programs.
- In connection with processing Financial Aid.
- To organizations conducting studies for, or on behalf of, educational institutions.
- To accrediting organizations.
- Complying with a judicial order or subpoena.
- In the event of a health or safety emergency.
- Of directory information.
- To the student.

How does increasing technology impact FERPA on our campus? The use of computerized record-keeping systems is increasing at a tremendous rate. Electronic data will eventually replace most paper documents. We try to ensure that appropriate policies

are established to protect the confidentiality of those records, educate faculty, administrators, staff and students about policies, and make sure policies are enforced. The same principles of confidentiality applied to paper documents must be applied to electronic data.

These general guidelines are not intended to serve as legal advice. This document provides only a summary of FERPA. For further information regarding FERPA or clarification regarding FERPA, refer to the act and its regulations, or contact LOC's FERPA representative.

LeMoyne-Owen College's FERPA Compliance Officer is LOC's Registrar. Call 901-435-1704, or email addie.harvey@loc.edu. Insert a link to the form here < Release of Student Information Consent Form>.