

STUDENT RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) provides students certain rights with respect to protecting the privacy of their education records. They are:

- (1) The right to inspect and review the student's education records within 45 days of the day the Southeast Missouri College of Nursing and Health Sciences (the "College") receives a request for access. Students 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, 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, misleading, or in violation of the student's right to privacy. Students desiring an amendment to their education record should write the College Official responsible for maintaining the record, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading, or in violation of the student's privacy. The student's right to request amendment may not be used to challenge grades.
- (3) The right to a hearing regarding the request for an amendment of the student's education records. If the College decides not to amend the record as requested by the student, the College must 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.
- (4) The right to prevent the College's disclosure of the student's personally identifiable information from the student's education records in most circumstances. Except to the extent that FERPA authorizes disclosure without consent, the College must obtain the written consent of a student before disclosing that student's personally identifiable information contained in the student's education records. Where required, a student's consent must specify the records to be disclosed, the purpose of the disclosure, and the party or class of parties to whom disclosure may be made. FERPA, however, permits the disclosure of the student's information without his or her consent in certain specified circumstances. Those circumstances include, but are not limited to, the following:
 - a. 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 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) institutional services or functions that the College would otherwise use employees to perform; 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. A school official must be under the direct control of the institution with respect to the use and maintenance of information from education records.
 - b. Disclosures to parents are permitted in three situations. First, disclosure of a student's personally identifiable information to parents is permitted without a student's written consent in the event of a health or safety emergency. The College may disclose education records in an emergency if the College determines that there is an articulable and significant threat to the health or safety of the student or other individuals. Second, disclosure of a student's personally identifiable information is permitted to parents of the student if the student is a dependent pursuant to Section 152 of the Internal Revenue Code of 1986 and notice is given to the student that a parent has requested such information. Third, disclosure of a student's personally identifiable information to parents is permitted without the student's written consent if the student is under 21 and has violated a law or College rule or policy governing the consumption or possession of alcohol or a controlled substance.
- (5) The right to opt out of the disclosure of directory information.

- a. Pursuant to FERPA, the College has classified certain personally identifiable information as directory information, which may be released without the student's consent. The College defines directory information as the student's name, local and home addresses, telephone number, e-mail address, place and date of birth, previous educational institution attended, dates of attendance, enrollment status, degrees and awards received, and participation in organizations or activities. The release of this information may be in written or electronic form, including images of the student
 - b. FERPA permits the College to limit the disclosure of directory information to specific parties, for specific purposes, or both. In the exercise of that authority, the College may release all directory information to members of the College family, defined as administrators, faculty, employees and trustees. Other releases will be limited to those situations in which the College, in its discretion, believes the release would recognize a student for academic or extracurricular achievement or otherwise advance the student's career interests or when the College believes the release would serve to advance the interests and image of the College. Examples of such releases would be the disclosure of directory information to prospective employers, financial aid and scholarship agencies or registry, licensure or certification services. Another example would be the release of directory information in connection with College sanctioned alumni affairs.
 - c. Students who wish to restrict the release of directory information must submit the appropriate form to the Registrar during the ten days of each academic term. This form can be found on page 121 of the Student Handbook or at the Office of the Registrar. Upon receipt of such request, the Office of the Registrar will designate that the student's directory information is confidential and not to be released outside the College except to individuals, institutions, agencies and organizations otherwise authorized by FERPA. The College will honor all requests to withhold any of the categories of directory information listed above but cannot assume any responsibility to contact the student for subsequent permission to release information. Nondisclosure will be enforced until the student subsequently authorizes its release. A student may not, however, opt-out of disclosure of the student's name, institutional e-mail address, or electronic identifier in the student's classroom. Regardless of the effect on the student, the College assumes no liability for honoring the request of the student to restrict the disclosure of directory information.
- (6) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College 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 20202-5920